



SOUTH BULLETIN

Reflections and Foresights

South Centre is an Intergovernmental Policy Think Tank of the Developing Countries

16 January 2009, Issue 30

Geneva, Switzerland

EDITORIAL: The Palestine-Israel Question

Yash Tandon, Executive Director, South Centre

South Bulletin: *Reflections and Foresights* takes stock of ongoing debates on major global policy challenges and delivers regular flow of analysis and commentary to policymakers in the South.

Yash Tandon, Chief Editor

Vikas Nath, Associate Editor

EDITORIAL COMMITTEE

Aileen Kwa

Xuan Li

Vice Yu



History will not absolve those world leaders who watch with cynicism the humanitarian catastrophe unfolding in front of their very eyes in Gaza. Silence and inaction is only a step removed

from complicity. The Kafkaesque contrast between Kosovo and Treblinka where the West intervened righteously and brought individuals to trial before the international human rights tribunals and their visible, audible, connivance at the carnage now afoot in Gaza will also not be lost to History. It is a matter of time, surely, that the individuals responsible for these crimes will be brought to court. Even the people of Israel, may be the next generation, will eventually see from hindsight the ironical and cruel similarity between the ghettos of Auschwitz and Dachau, in which many of their forefathers perished, and the "final solution" inflicted on the ghettoized population of Gaza. Cardinal Renato Martino echoed the sentiment of Pope Benedict XVI when he compared Gaza to a Nazi camp (See *The Independent*, 9 January 2009).

One casualty of the war will, surely, be the devaluation of the Jewish Holocaust. If the former victims of European persecution can do the same to ordinary innocent women and children of another race whom they burn alive in their houses with their aerial bombing, then the lessons of the original Holocaust would be lost to History, and the Jews must tear down the temples and museums dedicated to the Holocaust. The Jewish Museum in New York and the Anne Frank Museum in Amsterdam have now no value.

This special issue of the Bulletin focuses on



Source: *Time Magazine*, Vol. 173, No. 2, 19 January 2009

“ One casualty of the war in Gaza is the two states “solution.” ,

Inside this issue:

Editorial: Yash Tandon 1

The Palestine-Israel Question : There is another way out of the present dilemma 3
Yash Tandon

Holocaust Denied: The lying silence of those who know 14
John Pilger

End the Scourge of War 16
Miguel d'Escoto Brockmann

Accountability Must Be Ensured for Violations of International Law 19
Navanethem Pillay

Mahatma Gandhi on the Palestine Question 22

EDITORIAL: The Palestine-Israel Question

the present crisis humanity faces in the holocaust now being perpetrated by the Jews of Israel on the people of Palestine. In his "Holocaust Denied" John Pilger quotes the Soviet poet Yevtushenko. "When the truth is replaced by silence," the poet said, "the silence is a lie." Yevtushenko was asking why those who knew what was happening are silent. In relation to the war in Gaza, Pilger says, "Among the Anglo-American intelligentsia ... (t)hey know that the horror now raining on Gaza has little to do with Hamas or, absurdly, "Israel's right to exist." They know the opposite to be true: that Palestine's right to exist was canceled 61 years ago and the expulsion and, if necessary, extinction of the indigenous people was planned and executed by the founders of Israel."

We also reproduce what Mahatma Gandhi said on the subject in 1938 and 1946. "My sympathies are all with the Jews," he wrote, " ... But my sympathy does not blind me to the requirements of justice. The cry for the national home for the Jews does not make much appeal to me. Why should they not, like other peoples of the earth, make that country their home where they are born and where they earn their livelihood? ... If I were a Jew and were born in Germany, .. I would claim Germany as my home even as the tallest gentile German may, and challenge him to shoot me or cast me in the dungeon; I would refuse to be expelled or to submit to discriminating treatment. And for doing this, I should not wait for the fellow Jews to join me in civil resistance but would have confidence that in the end the rest are bound to follow my example."

Gandhi goes on to say "Palestine belongs to the Arabs in the same sense that England belongs to the English or France to the French. It is wrong and inhuman to impose the Jews on the Arabs. What is going on in Palestine today cannot be justified by any moral code of conduct. ... Surely it would be a crime against humanity to reduce the proud Arabs so that Palestine can be restored to the Jews partly or wholly as their national home. ... And now a word to the Jews in Palestine. ... if they must look to the Palestine of geography as their national home, it is wrong to enter it under the shadow of the British gun...."

Indeed, it was the British gun that created the state of Israel. In my own op-ed I show how the British violated the mandate on Palestine given to them by the United Nations. On three occasions Britain promised the Arabs the setting up of a legislative body in Palestine and the cessation of Jewish immigration. All the promises were broken. Arab rebellions were ruthlessly crushed including, according to British records, the murder of 3073 Arabs and punitive demolition of more than 2,000 houses through aerial bombardment. During the Second World War, nearly 30,000 Jewish men were trained by the British that formed the core of the Haganah, later the Israel Defence Forces, which

defeated the Arabs in 1948. It is clear that the British violated that trust. *Whilst the present General Assembly of the UN is in session, it should set up a Commission of Inquiry to undertake the long-delayed evaluation of the British mandate in Palestine. Did the British fulfill their mandate and their trust?*

The Jewish problem was always historically a European problem. In Shakespeare's *Merchant of Venice* (c.1598), the central and most despised character is the Jewish money-lender Shylock. Though Shylock is a tormented character, he is also a tormentor. In his *Othello, the Moor of Venice* (c. 1603), Othello, the black man, kills his wife, Desdemona, and yet Shakespeare presents him as a character that deserves sympathy and compassion. Throughout centuries a Jew in Europe was looked down upon more than a black man. It is with colonialism and the Jewish Holocaust in Europe that a reversal took place, with the black man despised and the Jews becoming an object of pity and guilt. To expiate their guilt Europe and America, instead of giving Jews their rights in their own countries, dumped them onto the colonised South.

Gandhi's advice to the Jews now holds good for the Arabs. They must fight for their rights where they are born, even if they are shot and cast into the dungeon, and even if Israel holds 12,000 of them prisoners in their dungeons. Israel, with all its military hardware and American technology designed to flush out the tunnels between Gaza and Egypt, will not defeat Hamas. Hamas is not just a few individuals. It is an idea, the idea of liberation from merciless exploitation and oppression. Israel cannot win. The fact is that the "two states solution" is primarily to serve Euro-American broader interests in the Gulf area. The Euro-American alliance exploits the Jews in Israel, and in turn, Israel super-exploits and oppresses the Palestinians.

One casualty of the war in Gaza is the two states "solution". The question then is: What does the international community do with a state called "Israel". My op-ed recalls a forgotten piece of history. When the British mandate over Palestine was created, the U.S. State Department of State, in supporting UN Resolution 181, had recommended the creation of separate Jewish and Arab *provinces*, not states. Now that the two states solution has failed, the Palestinians should have their democratic right to create their one state, as it should have happened if the British were faithful to their mandate. As for the Jews, I have a practical proposal. The only way the Americans and the Europeans can expiate their guilt over centuries of persecution of the Jews is to "welcome them back home." They can create, a "province" called "Israel" somewhere between Utah and California. It would cost US \$ 2.5 million over a period of ten years. It can be done. "We can do it", Obama!

The Palestine-Israel Question : There is another way out of the present dilemma

Yash Tandon

One casualty of the war in Gaza will be the two states solution. The most bizarre irony of present history in the making is that as a direct result of Israeli war against the population of Gaza the present proposed “solution” to the Palestine-Israel question based on the theory of two states has now suffered possibly a fatal blow.

The Israel-Palestine situation is a classic case of historical predicament, a situation from which extrication appears almost impossible. There are many intractable conflict situations in the world. But the Israel-Palestine problem is almost unique – a global (rather than regional) problem as we shall explain below, and it has reached a point where the two populations are set on a course of mutual destruction. It is problem that has festered for over sixty years in our own times, and for centuries before our time. The balance of military forces favour Israel for the time being, and what appears is an attempt on its part to destroy the Palestinians. But the situation could reverse itself in another generation, and with the memory of Gaza in the background, the Arabs might seek the total destruction of Jews – at least in Israel. Israel will not succeed in the total destruction of Hamas, or the ideology of Hamas, or the forced removal of the Palestinians from their present lands to Jordan or Egypt or other Arab countries. So then the question is: if the Palestinians cannot be removed from Palestine, are there other solutions that might be considered?

“In other words, in the present situation, the US-EU alliance needs Israel more than the other way around. I am aware that this is contrary to public perception of the matter.”

Reasons why a two state solution is now not going to work

These reasons can be grouped under three main headings.

- Increasing recognition that the two states solution is a fraud: it is part of US-EU global geopolitical and energy-security strategy presented as a “Palestine problem”.
- Increasing questioning of the legitimacy of the creation of Israel in 1947.
- Increasing recognition by Palestinians that the future is ultimately on their side, and they can afford to wait.

Increasing recognition that the two states solution is a fraud

In early days following the recent attack on Gaza some commentators tried to portray it as an election issue for the rival parties in Israel to win votes. However, it turns out that it is a deeper issue. For Israel, this, in our view, is its last war for survival. Israel feels threatened by the presence of Hamas in Gaza, and is now carrying out a massive assault on the

leadership of Hamas and the people of Gaza in order to effect a “final solution” (to use an analogy from Jewish history) to what they see as threatening their very survival as a state.

For the West, it is a war for the protection of their geo-political vital interests in the Middle East, especially access to oil and maritime routes and air space. There is a common perception that Israel is the driving force behind events in the Middle East. Up to a point this is true. The most visible part of the war is the barrage of air attacks and Israeli tanks marching into high density areas of Gaza. But this is only part of the truth and probably a smaller part. The larger part of the truth is that Israel is being used by the United States and Europe for their own wider geo-political and energy-security reasons. Of course, admittedly, Israel and the US-EU alliance use each other – Israel to secure its survival as a state, and the US-EU to advance and protect their geo-political-energy interests.

There is, however, one significant difference. For the Jews in Israel, there are other ways in which they can escape from the mayhem in the Middle East (go to Europe for example), or for the entire Jewish nation to protect their lives and life styles outside the geographical confines of the land presently known as “Israel” (a point to which I shall come later). For the US and Europe, on the other hand, to safeguard their geo-political and energy interests, they need the state of Israel to be firmly located within that geographic space of the Middle East and the Gulf area. In other words, in the present situation, the US-EU alliance needs Israel more than the other way around. I am aware that this is contrary to public perception of the matter. This public perception, however, is seriously flawed. The fact is that the Americans and the Europeans exploit the Jews in Israel, and in turn, Israel super-exploits and oppresses the Palestinians.

To understand these complex and inter-connected issues which provide the context of the war in Gaza, one needs to take a long view of history and from a broad landscape. And because, in our view, Israel is primarily a bridgehead of the West in the strategic region of the Middle East and the Persian Gulf, it is necessary to begin with the present crisis in the West and then analyse how the war in Gaza is symptomatic of the larger Western crisis. Israel is part of the West, and it has its own problems. However, it can solve some of

The Palestine-Israel Question: There is another way out of the present dilemma

these problems without the West. The West, on the other hand, can not protect its own interests without the security of Israel. Thus, when the US and the European Union advocate a “two states solution” to the “problem of Palestine” (which itself is a biased and racist definition of the problem), they are in actual fact only serving their own interests. For them to pretend that they are “mediators” and “honest brokers” in the conflict between Israel and Palestine is a mockery of both history and present reality. The two states “solution” has always been a fraud, as the analysis below will show.

Consider, first, the changes in the global geo-politics of the last thirty years and in the last five years. The last quarter century or nearly 30 years (from about 1975 to 2007) was a period first of intensified cold war (up to about 1989), then its end with the collapse of the Soviet Union and the emergence of the United States as a single hegemon (from 1989 to about 2001), and then during the last five or six years the rise of the South and the relative decline of the North as we enter into the next twenty-five or thirty years of generational cycle.

The period 1975 to 2007 started with deepening multiple crises in the West, among these:

- The geo-political and security crisis following the loss of colonies in the preceding period of 25 years;
- The oil crises of 1975 and 1979;
- The entry of the Soviet Union in Afghanistan;
- The Islamic revolution in Iran in 1979, which changed the entire political scene in the region from the Caspian Sea to Palestine, making the West extremely insecure; and
- Internally, the West faced a deepening crisis of profitability and the increasing pressure from the working classes.

However, by 1989 the West emerged out of these crises triumphant not only domestically but also internationally. With the initiatives taken by Margaret Thatcher and Ronald Regan under deregulation and market liberalisation, the ruling classes and corporate capital were able first to discipline the working classes within their own countries, and secondly to inaugurate a whole series of policy measures domestically and internationally which came to be identi-

fied, later, as “neoliberal globalisation” based on the so-called “Washington Consensus”. These measures boiled down essentially to trade and market liberalisation; privatisation and deregulation; and the promotion of the private sector.

That period has effectively ended. The financial meltdown in the West is not a mere trade cyclical phenomenon. Experts now agree that the West has not seen a worse crisis since the Great Depression of the 1930`s. In 1930 US Congress passed the Smoot-Hatley Tariff Act triggering the Great Depression by creating trade barriers. Today, even those corporations such as Lehmann Brothers and Goldman Sachs that survived the 1930s have collapsed like a house of cards. The state take over of banks and other productive assets of the private sector has demonstrated, finally, that the private

sector is not “the engine of growth” as the neoliberal ideology would have us believe. It is a state subsidised, exploitative, greedy and self-indulgent sector. In other words, there is an ideological collapse of the system.

At the political-military level, the US-dominated unicentric world is now replaced by a polycentric world. The virtual defeat of the US in Afghanistan and Iraq – wars that have lasted longer than the Second World War – has shaken American belief in its infallibility, and diminished the South's awe for the US or for its “coalition of the willing”. The US no longer enjoys the strategic, tactical or moral high ground that it had just 10 or 15 years ago. However, losing credibility and legitimacy does not mean the US will become less aggressive.

Indeed, as its moral authority declines, the US could become even more aggressive militarily. It could intervene directly or it could use proxies like Israel, which is exactly what is happening today in Gaza.

In terms of access to global resources, the US is facing serious challenges regionally in its own backyard and globally. The prices of oil, minerals and metals showed a steady climb from 2001 to 2006, and then from 2007 on they were on a roller coaster, with prices swinging bizarrely up and down, with uncertain futures markets. This is compounded by new assertive popular movements in the countries of the South for claiming ownership of land, oil, minerals and other natural resources. The Venezuelan boldness in nationalizing oil is inspiring others to follow suit. In May 2006, Bolivia's President Evo Morales signed a decree placing his country's energy industry under state control. In April 2007, U.S. lawyers representing 24 indigenous Peruvians sued Occidental Pe-

“...when the US and the European Union advocate a “two states solution” to the “problem of Palestine” (which itself is a biased and racist definition of the problem), they are in actual fact only serving their own interests.”

The Palestine-Israel Question: There is another way out of the present dilemma

troleum, the California-based company that made a fortune from Peruvian rain forest from 1972 to 2000, in a Los Angeles court, alleging, among other offenses, that by dumping toxic wastewater directly into rivers and streams, the company was endangering lives and health of people. For indigenous peoples, the action by Peruvian Indians is emblematic of a new era. In February 2008, President Hugo Chavez threatened to cut off oil sales to the United States if ExxonMobil pursues international court orders it has obtained against billions of dollars of Venezuelan state assets in a contract dispute.

In Africa, oil has become a security and military issue for America. Its Africa Command (AFRICOM), with an increased military presence on the continent, has targeted seven countries in the oil-rich region of Gulf of Guinea (Cameroon, Equatorial Guinea, Gabon, Ghana, Liberia, São Tomé and Príncipe, and Senegal).

These are difficult times for the US and the EU; it is a different world. Some of the predictions made about the future by American experts make interesting reading. For example, in its publicly accessible document, the *US National Intelligence Council Global Trends up to 2025* draws out alternative futures for US policy consideration based on seven variables: the Globalizing Economy; Demographics of Discord; the New Players; Scarcity in the Midst of Plenty, Growing Potential for Conflict; Challenges of the International System; and the US in a Power-sharing World. Among some of its "predictions" relevant to this essay are the followingⁱ:

- "By 2025 a single "international community" composed of nation-states will no longer exist. Power will be more dispersed with the newer players bringing new rules of the game while risks will increase that the traditional Western alliances will weaken."
- "Shrinking economic and military capabilities may force the US into a difficult set of tradeoffs between domestic versus foreign policy priorities."
- "All current technologies are inadequate for replacing traditional energy architecture on the scale needed." Iran and Russia will increase power unless non-fossil transition is made by 2025. "With high oil and gas prices, major exporters such as Russia and Iran will substantially augment their levels of national power, with Russia's GDP potentially approaching that of the UK and France."

- "The potential for conflict will increase owing to rapid changes in parts of the greater Middle East and the spread of lethal capabilities."
- "Episodes of low-intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict."

Like the US, Europe too is facing a difficult future. The European Union is very conscious of the competition from the so-called emerging economies of Brazil, China, India, Russia, and South Africa. It risks loss of markets in the South, especially in its former colonies in Africa and semi-colonies in Asia and Latin America. The reliability of access to oil and raw materials at affordable prices has seriously challenged European diplomacy (for example, in the present dispute

between Russia and Ukraine) and it has increased the urgency to look for alternative sources of fuel and energy. The battle lines of the future are already being drawn in terms of access to and exploitation of oil wells, minerals and natural resources.

The EU has a vigorous and aggressive Global Europe strategy. The Lisbon Strategy sets out a coherent agenda for adapting European economies to the new global environment, and preparing its corporations and citizens for a "Citizen's Agenda" that examines how the internal European market can further help European business make the changes necessary to compete internationally "by diversifying, specialising and innovating".ⁱⁱ More than ever, the EU needs to import to export. In 2006 the

European Commission issued "*Action Plan for EU External Competitiveness*" which, among other things, said: "The Commission will bring forward a communication on a renewed Market Access Strategy in early 2007. This is likely to involve setting regular priorities in terms of sectors and markets where the removal of trade barriers would create the greatest gains for EU exporters. The Commission will need to concentrate resources in key countries, invest in technical expertise, co-ordinate policy tools and work more closely with Member States and industry/exporters."

The OECD strategy, led by Europe, of tying Africa to its aid apron strings through the so-called "Paris Declaration" on "Aid Effectiveness" is part of the European overall strategy to ensure access to markets, oil and natural resources.ⁱⁱⁱ

Against the background of these disturbing trends for the US and the EU, they now need Israel more than ever. There

"The OECD strategy, led by Europe, of tying Africa to its aid apron strings through the so-called "Paris Declaration" on "Aid Effectiveness" is part of the European overall strategy to ensure access to markets, oil and natural resources."

The Palestine-Israel Question: There is another way out of the present dilemma

is, however, a history of close collaboration between the US, Europe and Israel. The Bush administration has long pushed the "laptop documents" - 1,000 pages of technical documents supposedly stolen by Israel intelligence from an Iranian laptop - as "hard evidence" of Iranian intentions to develop nuclear weapons. Between Britain and Israel there is close collaboration on how to counter terrorism – "Operation Kratos" is the code word used by the Anti-Terrorist Branch (SO13) of London's Metropolitan Police Service to refer to policies surrounding and including "shoot-to-kill" tactics to be used in dealing with suspected terrorists and suicide bombers. The tactics are understood to be based in part on consultation with Israeli and Sri Lankan law enforcement agencies on how to deal with "deadly and determined" attackers. Canada-Israel "Public Security" Agreement is a collaborative project to counter terrorism. The Israel- NATO Framework Agreement Military Build-up in the Eastern Mediterranean and the Persian Gulf is directed against Iran, Syria and Lebanon. It is also related to the deployment of US naval forces in the Persian Gulf.

All three – the US, Europe and Israel – share the same political, ideological and strategic terrain. To pretend that the UK and the US – or their government allies in the Arab states (guess who?) – can be "honest brokers" between Israel and Palestine is simply ridiculous. They all fear Iran's rise to power, and the increased power of the resistance movements in Iraq, Palestine and Lebanon. There are "soft power" theorists in these countries that argue that a hard militarist line with Iran or Palestine could backfire. But it would appear that the distinction between "hard power" and "soft power" is relative, a point that President Obama will soon demonstrate. Obama, after all, is answerable to his electorate, and to his own Congress. On January 11, 2009 the Congress voted to support Israel action in Gaza by a vote of 390 to 5. The next day, the United Nations Human Rights Council, by a vote of 33 to 1 "strongly condemned the ongoing Israeli military operation which had resulted in massive violations of human rights of the Palestinian people and systematic destruction of the Palestinian infrastructure."^{iv}

Within President Obama's close cabinet there is Vice President Joe Biden who was hawkish on Iraq and a known Zionist; Chief of Staff Rahm Emanuel who is a hard-line sup-

porter of Israel's "targeted assassination" policy and actually volunteered to work with the Israeli Army during the 1991 Gulf War; Susan Rice, an Iraq hawk who promoted the myth that Saddam Hussein had Weapons of Mass Destruction, and who advocated the bombing of Sudan. Above all, there is Hillary Clinton who defended the Iraq war, backed the bombing of Yugoslavia, and favours bombing Iran. As John Pilger says in his article in this issue of the Bulletin, Obama is silent over US complicity in the war on Gaza. US has supplied to Israel 250-pound "smart" GBU-39 bombs on the eve of the attack on Gaza. The President-elect could not have not known about this; indeed, it is hardly likely that the action would have been taken without his knowledge.

So why are the Americans and the Europeans working hand-in-glove with Israel? What is at stake? At stake, besides the

"...the US, Europe and Israel – share the same political, ideological and strategic terrain. To pretend that the UK and the US -- or their government allies in the Arab states (guess who?) -- can be "honest brokers" between Israel and Palestine is simply ridiculous."

strategic interests mentioned earlier, is the control and ownership of strategic offshore gas reserves off the Gaza coastline. The rights to the offshore gas field are held 90 per cent by British Gas (BG) and its Athens based partner Consolidated Contractors (CCC), owned by some rich Lebanese families; the remaining 10 % is held by Investment Fund of the Palestinian Authority (PA).^v The CCC has a 25 year agreement for oil and gas exploration rights signed in November 1999 with the PA. The BG-CCC-PA agreement includes field development and the construction of a gas pipeline.^{vi} The licence covers the entire offshore marine area of Gaza, which is contiguous to several Israeli offshore gas facilities. BG estimates Gaza reserves to be around 1.4 trillion cubic feet, valued at approximately 4 billion dollars. In 2006, BG "was close to signing a deal to pump

the gas to Egypt."^{vii} Under the proposed 2007 agreement with BG, Palestinian gas from Gaza's offshore wells was to be channeled by an undersea pipeline to the Israeli seaport of Ashkelon, thereby transferring control over the sale of the natural gas to Israel. These various offshore installations are also linked up to Israel's energy transport corridor, extending from the port of Eilat, which is an oil pipeline terminal, on the Red Sea to the seaport - pipeline terminal at Ashkelon, and northwards to Haifa, and eventually linking up through a proposed Israeli-Turkish pipeline with the Turkish port of Ceyhan. Ceyhan is the terminal of the Baku, Tblisi Ceyhan Trans Caspian pipeline. What is envisaged is to link the BTC pipeline to the Trans-Israel Eilat-Ashkelon pipeline, also known as Israel's Tipline.^{viii}

As can be seen, it is a complex picture of inter-connected

The Palestine-Israel Question: There is another way out of the present dilemma

interests that link a major British oil corporation, Israel, Egypt, Turkey, some rich families in the Lebanon, and above all, Fatah and the Palestine Authority under the control of Mahmoud Abbas. Here is where, to the consternation of the above coalition of forces, Hamas put a fly in the ointment. As long as Gaza was under Fatah's control, the western coalition felt relatively secure. The electoral victory of Hamas in Gaza, however, has raised the spectre of billions of dollars in the coffers of a "terrorist" group. Sooner or later, it was clear to all these parties (and not just Israel) that Gaza had to be invaded and Hamas removed from power. According to Israeli military sources, the invasion plan of the Gaza Strip under "Operation Cast Lead" was set in motion in June

2008.^{ix} At the same time, Israel contacted British Gas with a view to resuming suspended negotiations for the purchase of Gaza's natural gas. Israel was already setting in motion a new dispensation on the assumption that Hamas would be quickly wiped out in a military blitzkrieg.

This explains why the US and the EU have declared Hamas a "terrorist organisation", and why they (and Egypt and Turkey) are now emerging as "mediators" and "honest brokers", whilst still pursuing the two states "solution". Egypt and Fatah did not attend the 16 January 2009 Arab Summit in Qatar. The Summit strongly supported Hamas and the Palestinian resistance.

Increasing questioning of the legitimacy of the creation of Israel

The Arabs of Palestine have never accepted the creation of the Jewish state. What was victory for the Jews was regarded by the Arabs as *Nakba*, meaning catastrophe. Indeed it was not until 1988, forty years after Israel's birth, that Yasser Arafat's Palestine Liberation Organisation (PLO) renounced its goal of liberating the whole of Palestine. And it took another five years before it agreed to the Oslo Peace Accords, which most Palestinians now regard as a grave error on the part of PLO. The Oslo Accords gave no firm promise of a Palestinian state in return for the recognition of Israel. In fact, most Palestinians equate what was created with Norwegian mediation as comparable to the state of South Africa under the apartheid rule – "fragmented Bantustans". As Fatah became more and more dependent on Western aid, the newly installed Palestinian Authority grew more corrupt, more and more Palestinians turned to Hamas. Hamas, born in 1987 as an offshoot of Egypt's Muslim Brotherhood, built its credibility through social programmes, a reputation for honesty, and refusal to capitulate to the Oslo Accords, and to the two

states "solution".

Now the very circumstances under which Israel was created are coming for closer scrutiny. At the time of the UN partition resolution, the Jews of Palestine numbered only 600,000, mostly from Europe, and the Arabs more than twice that number. In the war that ensued, more than 600,000 of Palestine's Arabs were put to flight. Now, in the aftermath of the humanitarian carnage in Gaza, more and more people (and not just the Palestinians) would want to question the legitimacy of the process in the UN that led to the partition of Palestine and the creation of the state of Israel.

"Now, in the aftermath of the humanitarian carnage in Gaza, more and more people (and not just the Palestinians) would want to question the legitimacy of the process in the UN that led to the partition of Palestine and the creation of the state of Israel."

The Jewish problem was always historically a European problem, not a Palestinian problem. During the 19th century the spread of Enlightenment across Europe led to the emancipation of Jews. But it also led to reaction against them. Jews were seen as alien and were not granted citizenship, for example. The growth of nationalism in Europe also created anti-Semitism and pogroms against the Jews, culminating in the brutal Holocaust under the Nazis, when 6 million European Jews perished.

During the Second World War Britain was granted a mandate over Palestine by the United Nations. In duplicitous manner, Britain denied the people of Palestine their democratic rights, surreptitiously encouraged the Jews to enter Palestine, whilst preserving good

relations with the Arabs to protect its oil and other strategic interests. "On at least three occasions in thirty years," Arthur Koestler, the famous Jewish-Hungarian-British author, wrote in *Promise and Fulfilment* (1949), "the Arabs had been promised the setting up of a legislative body, the cessation of Jewish immigration and a check on Jewish economic expansion." And on each of these occasions, Britain broke its promise. Rebellions against the British were ruthlessly suppressed. According to British records, the administration killed 3073 Arabs (112 of whom were executed). These figures exclude Arabs killed by Zionist organisations or the Jewish Special Night Squads under the command of British intelligence officers. During the uprisings, British security forces used the standard tactics of anti-colonial warfare – torture, murder, collective punishment, detention without trial, military courts, aerial bombardment and punitive demolition of more than 2,000 houses (like what is happening in Gaza today). During the Second World War, nearly

The Palestine-Israel Question: There is another way out of the present dilemma

30,000 Jewish men of the Yishuv volunteered for the British army. These soldiers would become the core of the Haganah, later the Israel Defence Forces, which defeated the Arabs in 1948. ^x

However, when the vote was taken in the General Assembly of the UN on November 29, 1947 for the creation of the state of Israel, Britain abstained. In any case, it did not matter. The geo-political configuration at the time favoured the US and the Europeans. Here was an opportunity for them to “solve” the problem of the Jews by dumping them into the Middle East. It is worth recalling who voted how. The 33 countries that cast the “Yes” vote were: Australia, Belgium, Bolivia, Brazil, Byelorussia, Canada, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, Ecuador, France, Guatemala, Haiti, Iceland, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Sweden, Ukraine, South Africa (then under apartheid), USSR, USA, Uruguay, and Venezuela. The 13 countries that voted “No” were: Afghanistan, Cuba, Egypt, Greece, India, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, Turkey and Yemen. The 10 countries that abstained were: Argentina, Chile, China, Colombia, El Salvador, Ethiopia, Honduras, Mexico, United Kingdom and Yugoslavia. Switching their votes from November 25 to November 29 to provide the two-thirds majority were Liberia, the Philippines, and Haiti, all heavily dependent on the United States. ^{xi} On November 10, 1945, U.S. diplomats from the Mid-East had tried

to persuade President Truman not to yield to Zionist pressure. He replied: “I’m sorry, gentlemen, but I have to answer to hundreds of thousands who are anxious for the success of Zionism: I do not have hundreds of thousands of Arabs among my constituents.” ^{xii}

It is important to note that had the UN been more universal in its membership in 1947, and had countries from the South been able to vote without pressure from the US and Europe, Israel would have had no chance to secure a majority vote, let alone two-thirds vote; and there would have been no state of Israel. Today, however, the problem is described as a “security” issue and taken to the Security Council of the UN where the West has three vetoes – those of US, UK and France. The General Assembly has been emasculated of the power it had in 1947. Nonetheless, it is symptomatic of the new situation that the President of the

General Assembly, Father Miguel d`Escoto Brockmann, has condemned Israeli action as “genocide”. ^{xiii}

Increasing recognition by Palestinians that history is ultimately on their side

The third factor that spells doom for the “Two States Solution” is the increasing recognition by Palestinians that history and the future is ultimately on their side. The global geo-political situation has changed radically in favour of the Palestinians.

As Benny Morris, professor of Middle Eastern history at Ben-Gurion University, says, public opinion in the West is gradually losing support for Israel and the holocaust is now “a faint and ineffectual memory”. ^{xiv} He says “the walls are closing in” over Israel in the form of Iran’s nuclear threat, the rise of Hamas and Arab anger.

Even in the United States young American Jews today do not care about Israel. A 2007 study, which polled 1,700 American Jews, found American Jewish detachment from Israel is growing and strongest among younger Jews. The study, conducted by Professors Steven M. Cohen and Ari Y. Kelman, found that of American Jews under 35, less than half (48 percent) regarded “Israel’s destruction would be a personal tragedy” and slightly over half (54 percent) were “comfortable with the idea of a Jewish State.” ^{xv}

An increasing number of Jewish intellectuals and human rights activists, among them –Yuri Avnery, Tom Segev, Ilan Pappé, Gideon Levy, Amira Hass, Noam Chomsky, Dennis Kucinich, Norman Finkelstein and Richard Falk – publicly condemn Israeli crimes. Richard Falk (an old time personal friend of the author), the U.N. Special Rapporteur for human rights in the occupied territories and a renowned professor of international law at Princeton, was refused entry into Israel in December last year, detained for 20 hours and deported. Falk says that Israeli treatment of Palestinians is no different from Nazi record of collective atrocity.

In Palestine, the balance of political forces is shifting ineluctably towards Hamas. As Jewish settlement in the West Bank has accelerated, and as the Palestine Authority, under the weight of “aid” from the West, has grown more corrupt, and as negotiations with Israel make no progress, people have turned to Hamas. Hamas, by contrast, is very practical and very effective, and steadfast in its resolution not to endorse

“...had the UN been more universal in its membership in 1947, and had countries from the South been able to vote without pressure from the US and Europe, Israel would have had no chance to secure a majority vote, let alone two-thirds vote; and there would have been no state of Israel.”

The Palestine-Israel Question: There is another way out of the present dilemma

a permanent peace based on the Western-driven “two states solution”. Israel (with the complicity of the West and probably of some Arab states) is bombing and strafing Gaza (still going on for over three weeks at the time of writing) in the hope of either eliminating Hamas leadership or getting the people to rise up against Hamas, or both. Israel has failed, to the obvious frustration of its Western and Arab allies.

There is rising tension between the *Arab Streets* as against the *Arab States*. Popular anger at what they see as complicity on the part of some Arab states is mounting. As for the 1.1 million Arabs in Israel, their situation is worse than that of the black population in South Africa during its worse days under *apartheid*. The Israel-based Arabs are increasingly isolated from their brethren. Israel bars them, as its citizens, from travelling to Gaza and to most Arab countries. Their cousins in the occupied territories are unable to visit them. These are potential resistance fighters even if the present Hamas is emasculated.

"Hamas will win the war, no matter what happens," Yuri Avnery, once an Israeli soldier and now a peace activist, said. "They will be considered by hundreds of millions of Arabs heroes who have recovered the dignity and pride of Arab nations. If at the end of the war they are still standing in Gaza this will be a huge victory for them, to hold out against this huge Israeli army and firepower will be an incredible achievement. They will gain even more than Hezbollah did during the last war." ^{xvi}

As the British journal, *The Economist*, in its editorial on January 10 2006, said, "But even in the event of Israel "winning" in Gaza, a hundred years of war suggest that the Palestinians cannot be silenced by brute force. Hamas will survive, and with it that strain in Arab thinking which says that a Jewish state does not belong in the Middle East." It went on: "The most promising moment of all came at the beginning of this decade, with Mr. Clinton's near-miss at Camp David. But now, with the rise of Hamas and the war in Gaza, the brief period of relative hope is in danger of flickering out." ^{xvii}

That, then, raises the question: if the idea of two states is “flickering out”, and if the Arab thinking that “a Jewish state does not belong in the Middle East” gains strength, as undoubtedly it would, what, then, is to happen to the Jews of Israel? Is there an alternative solution to the two state “solution”?

An Alternative Proposal

The problem is that nobody has seriously applied his or her mind to this question. The idea of the “two states” has become an embedded “reality” in the mind of most people for so long that an alternative thinking has been literally foreclosed as a possibility. This false illusion of two states as “reality” has been stubbornly sustained by the Western and Israeli propaganda machine, backed by billions of dollars of American annual subsidy to the state of Israel and a formidable war machine that everybody assumed would always win wars against the Palestinians.

This has not happened. The West has succeeded in co-opting a number of Arab and Moslem states (and Fatah) to the two states solution imposed on the people of Palestine

in 1947. It is now 61 years. But the two peoples – Jews and the Palestinians – have proven incapable of finding an acceptable formula that both sides can live with. Israel has always pushed for the two states “idea” *on its terms*, and to get its way it has regularly and systematically resorted forced occupation and violence verging on genocide. Fatah might have accepted a compromise after the Oslo Accord. But Hamas has taken a firm line of resistance, the Arab Streets have come out to challenge the Arab states, and now with the carnage of Gaza, the possibility of compromise is virtually ruled out. At Camp David in 2000 with all the diplomatic charm offensive of President Clinton, and almost servile docility of Abbas,

“However bizarre it may sound, the paradox of history is that the bigger obstacle to looking for an alternative solution might not be the Jewish people but the United States and Europe.”

an agreement evaded them. The UN Partition resolution had partitioned Jerusalem, but it was not possible, because of Israeli stubbornness (some might say obtuseness), to agree on how to implement it. There are now double the numbers of Palestinian refugees. They still demand to go back to their homeland. Israel settlers have been occupying more and more of their lands and have attacked even their refugee settlements. Israel has now experienced that the land it vacates such as Gaza, even under siege, could become a bridgehead for Hamas and for resistance.

If anybody still harbors the illusion of the two states, then he must be living in some kind of closed mind, a mind that refuses to look at reality when it stares in the face, or a mind that has such powerful vested interests in the two states “idea” that an alternative is hard to contemplate. Both history and current events show that Israel is an artificial implant on the land and body politic of Palestine to serve US-EU global strategic interests, and to “dump” what was historically a problem created by European racism on

The Palestine-Israel Question: There is another way out of the present dilemma

to the land of the Palestinians.

However bizarre it may sound, the paradox of history is that the bigger obstacle to looking for an alternative solution might not be the Jewish people but the United States and Europe. Why? Because it is the US and Europe that need Israel implanted in Palestine and the Gulf area for the protection of their global strategic interests, now even more than ever before. The Jews' emotional attachment to the state of Israel is as powerful today as was with, for example, the white settler population of South Africa ten/fifteen years ago. But oddly as it may sound today, if to the ordinary citizens of Israel a more peaceful environment is offered where they can go and engage in their daily routine life, go for prayers, enjoy the swimming pool, dance in the clubs, and enjoy sports, they could adjust to a new reality sooner than most people imagine.

When matters came to a head, the whites of South Africa had to adjust to a new reality. For nearly 300 years (five times longer than the "state" of Israel) they had thought of themselves as a distinct "Boer Nation". But when reality finally stared them in the face of resistance by the African masses, many of the whites had a change of conscience, and became activists in bringing about the new dispensation. Most settled down in the new state; those who could not adjust, emigrated.

When the reality catches up and opens up the locked-up minds in Israel, and a brighter future is offered to the Jews of Israel (say a parcel of land in the United States), they may open up to exercise their option of either emigrating or adjusting to a new reality of "one state" – the state of Palestine, with an Arab majority, and a substantial Jewish minority. If nothing else, the demographic reality will catch up. The recent issue of the *Time* magazine^{xviii} says that "A higher growth rate means that Arabs in Israel and the territories will soon vastly outnumber Jew there." It estimates the Jewish population to rise from 5.4 million at present to 6.4 million in 2020. The corresponding figures for Arabs are 5.5 million and 8.5 million. But demographics apart, it is the politics that have changed. Hamas is not just a bunch of individuals. It is a powerful idea, the idea of resistance even at the cost of dear lives. That idea is now likely to outlive all the violence Israel can inflict on the millions of refugees living on its borders who cherish the will "to go back home".

So between the two present strong protagonists of the two states solution – US-EU alliance (backed for convenience by a few Arab states and Fatah) and the state of Israel (with a population yearning for peace) – it is the AU-EU alliance (that ironically, and one might say tragicomically, offers itself as "mediators" and "honest brokers") that is the bigger obstacle. In this paper we do not address the issue of what the US and Europe would do in the absence of Israel to fight their strategic battles for them in the Gulf area and the Middle East. This will evolve as part of the movement of history itself, just as the former Soviet Union (now Russia) had to adjust to the reality of the collapse of the Soviet Union and the absorption of its former allies or satellites in Western Europe.

So where do we go from here?

Nobody should underestimate the complexity and seeming intractability of the problem. Nonetheless, it is in times such as this (for South Africa it was their military defeat in Quito-Carnavale in Angola that was the turning point) that wiser and far-thinking leaders from all sides (governments, civil society, churches, the United Nations) must put in motion processes that can open doors to the future, however difficult it may be to envisage it today. We offer one possible route towards forward thinking. The language of death and destruction (bordering on genocide) is definitely not an option.

The obvious point to start with is the question: if the two communities – Jews and Palestinians – cannot live with one another, what do we do?

Israel has been trying to push the Palestinians to migrate to Jordan, Egypt and Lebanon and other Arab lands. But this is not going to happen. First, these countries are themselves so crowded and politically so vulnerable that an influx of Palestinians could alter the delicate balance of forces in these countries that ironically spells disaster even for Israel. Consider "Gazas" multiplying in Jordan, Lebanon, Syria, etc. Secondly, in any case, the Palestinians have set their minds to returning to the homelands, a vision that Hamas has inspired. That vision will not disappear. Hamas has offered a thirty years truce to Israel without recognising it. Why? Because Hamas knows (and Israel too) that in 30 years (another generation), the demographics will have changed, and more to the point the politics would have changed.

"between the two present strong protagonists of the two states solution – US-EU alliance and the state of Israel (with a population yearning for peace) – it is the AU-EU alliance (that ironically, and one might say tragicomically, offers itself as "mediators" and "honest brokers") that is the bigger obstacle."

The Palestine-Israel Question: There is another way out of the present dilemma

Can the Palestinians be removed physically to some place outside the Middle East – say in Europe or America? Can they be offered secure homes, jobs, and peace outside the present mayhem? In terms of the availability of land (especially in America or Canada), or availability of finance (say about US dollars 2.5 billion over a period of ten years) it is not something that can be dismissed out of hand. Alternatively, can the same be offered to the Jews of Israel – land and peace outside of the Middle East?

Between the two – Jews or Palestinians – who might be more willing to move, and to be acceptable to the receiving countries? Based on my knowledge of history and some understanding of cultures and climes, I would venture to hedge the bet that the prospect for the Jews to move might appear a more feasible proposition than that of the Palestinians. After all, the “Jewish Question” was a major political issue in Europe in the nineteenth century; it became worse in the twentieth century with the Holocaust. The creation of Israel (at a time when most countries of the South were still under colonial or semi-colonial rule) was an attempt to resolve the centuries old *European problem* by dumping it on to the Middle East. But in doing so, the US and Europe only succeeded in compounding the problem, and universalising it. *Arguably, much of Islam anger (especially of the youth) that feeds Islamic fundamentalism and extremism (in the countries of the South but also in those of the North) owes itself to this egregious injustice done to the people of Palestine.*

Would the Jews want to move? May be not immediately. May be not all of them? Most of them still believe, or made to believe, that the land of Palestine was a gift of God to “the chosen people”. This myth (for that is what it is) is difficult to die, and will take time to die. After all, there are hundreds of such myths which communities all over the world (not just Jews only) entertain in their dreams. Just try Africa or the Pacific Islands for a start. Besides, if the Jews claim Palestine as their “ancestral land”, by the holy dispensation of their Gods, why should that dispensation be binding on the Gods of other communities, religions or cultures? This is not to dismiss the Jews` legitimate claim to visit and pray at their holy shrines in the Middle East. But to exaggerate these claims into embedding a whole state in the midst of an alien culture, and creating death and destruction in its wake, can hardly be history’s wisdom. The Americans and Europeans have tried it, but the experiment has failed, and we must now move on.

The real possibility that the Jews may be persuaded to move is also supported by Jewish history itself. At the Sixth Zionist Congress at Basel on August 26, 1903 Herzl, the father of the Jewish nation, had proposed settlement in Uganda (the country of this author). The British, imperial masters of Uganda, had accepted the proposal. Fortunately for my country, the plan was finally abandoned, for had it been implemented, we would today have the same mayhem in Eastern and Southern Africa as we now have in Palestine and the Middle East.

Many Jews may not move out of present Israel but many might – may be even half of the present population – if the prospect of a future is brighter than what Israel has to offer them. The religious and cultural affiliations of Israeli Jews vary widely: 55% say they are “traditional,” 20% consider themselves “secular Jews,” 17% define themselves as “Orthodox Jews”; the final 8% define themselves as “Haredi Jews”. Because of this plurality and a democratic culture, the political system allows for proportional representation. But this means none of the three major parties has a chance of gaining power by itself. This creates an almost chaotic political culture, where intricate bargaining between parties and groups within parties can sustain or destroy “coalitions” in power. Israel may pride itself as a “democratic” state, but so did South Africa under *apartheid*. What kind of democracy is this? It is far more sensible for the democratic-minded Jews of Israel to find another location in the world where

they are able to practice real democracy – and also the wonderful socialist idea of Kibbutz – in peace, harmony, and justice.

Which of the populations of present Israel could move, if properly inspired and motivated and where? If the location is attractive enough, many of the “traditional”, “Orthodox” and “Haredi” Jews could consider moving, let us say to a land near Utah or Nevada in the USA.

This is just an example. But let us explore it further. Some 150 years ago, many members of the Church of Jesus Christ of Latter-Day Saints (LDS) moved to the US. One sect of these LDSs constitutes the Mormons. Led by Brigham Young and his group of pioneers they settled in Utah near Salt Lake City. Mormonism has close historical affinity to Judaism. It has incorporated many Old Testament ideas into its theology, and it has many cultural similarities. Among the early Mormon settlements, the largest was called *Nauvoo*, which in Hebrew means “to be beautiful”. Brigham

“Many Jews may not move out of present Israel but many might -- may be even half of the present population -- if the prospect of a future is brighter than what Israel has to offer them.”

The Palestine-Israel Question: There is another way out of the present dilemma

Young named a tributary of the Great Salt Lake the "Jordan River." The LDS Church created a writing called the "Deseret Alphabet", which was based, in part, on Hebrew. The LDS Church has a Jerusalem Center in Israel, where young people learn to appreciate and respect the region. Not surprisingly, Utah also has places called South Jordan and West Jordan, and Zion National Park.

This could be a place worth considering by the Jews of Israel – not necessarily within the midst of the Mormons. However, there are still vast tracts of unoccupied lands in Utah and Nevada to which "traditional", "Orthodox" or "Haredi" Jews from Israel might contemplate moving. From there the beaches of California are not far – a single day's car journey to a more peaceful environment than along the Mediterranean Sea. They should, of course, have a right to visit Jerusalem and other holy shrines in the Middle East and they could come as tourists for an occasional nostalgic dip in the Mediterranean. They must not lose everything in moving out of Israel.

How much would this transmigration cost, and over what period? Let us say it takes ten years to undertake a peaceful and systematic transmigration of those willing to move, and let us say each family is given the full value of its present assets in Israel plus the cost of transport and rehabilitation, and let us say half the present population (or 2.5 million) is willing to consider moving, how much would this cost? Suppose each family is given "compensation" and "rehabilitation" grant of US dollars 10 million, it would cost a total of US dollars 25 million

over 10 years. Even if each family is given as grant (or semi-grant) of US\$ 100 million, it would still cost \$250 million.

The US provides \$2.5 billion a year subsidy to the state of Israel. The people of Israel should simply say to the US that they are no longer prepared to kill and destroy the people of Palestine (and risk undertaking the kind of pogroms in Europe from which their forefathers had to escape) in order to push American and European geo-political and energy-security objectives in the Persian Gulf and the Middle East. They are tired of pulling hot chestnuts out of the fire on behalf of the US and European corporate and militaristic interests. Instead, they would bargain for a tenth of the money the US now provides annually, half as grant and half issued as marketable government bonds. They should be

allowed to send an advance party to make a choice over a piece of land between Utah and California for their settlement.

Once this is settled, the remaining 2.5 million people of Israel (say half of those who describe themselves as "traditional," and "Orthodox" or "Haredi Jews", and may be 100 per cent of those who describe themselves as "secular") might consider staying in Palestine as a "One State" solution, just as the whites in South Africa are presently staying in that land that was torn for decades of violence, human rights violations, and "terrorism".

The question is: what happens, then, to the "state" called "Israel"? Let us here repeat an important historical fact of history. The British were mandated by the United Nations a

trusteeship over Palestine. *It is clear that the British violated that trust.* They should have allowed for a democratic dispensation in Palestine as they were later to do in my own country, Uganda, and other countries of Africa. Instead, they suppressed the genuine aspirations of the people of Palestine, and as Arthur Koestler quoted above says, they resorted to genocide-like brutalities on the Arabs. Surreptitiously, they encouraged Jewish immigration into Palestine and trained the Jewish militia that became the core of Haganah, later the Israel Defence Forces, which defeated the Arabs in 1948. In 1947, the UN created the state of Israel, and the British coyly abstained from the vote, to send signals to the Arabs that their oil interests must be protected. The UN vote was forced on the people of Palestine undemocratically and with the

"The people of Israel should simply say to the US that they are no longer prepared to kill and destroy the people of Palestine in order to push American and European geo-political and energy-security objectives in the Persian Gulf and the Middle East."

force of arms at a time when the UN was dominated by US and Europe. It is now a different UN. *Whilst the present General Assembly is in session, it should set up a Commission of Inquiry to undertake a long-delayed evaluation of the British mandate in Palestine. Did the British fulfill their mandate and their trust?*

There is one more important historical detail that is forgotten. When the UN mandated the British to take over Palestine under its trusteeship, although the US backed UN Resolution 181, the U.S. Department of State recommended the creation of the trusteeship with limits on Jewish immigration and a division of Palestine into separate Jewish and Arab provinces not states.

The two states solution has failed. The Palestinians should have their democratic right to create their one state, as it

The Palestine-Israel Question: There is another way out of the present dilemma

should have happened if the British were faithful to their mandate. As for the Jews, they can create, following the above referred recommendation of the US Department of State, a "province" called "Israel" with the difference that it should be in the United States and not in the Middle East – somewhere between Utah and California.

Yash Tandon is the Executive Director of the South Centre (an intergovernmental policy thinktank of the developing countries), Geneva.

He can be contacted at: south@southcentre.org

- i. National Intelligence Council (2008), 'Global Trends 2025: A Transformed World', November, www.dni.gov/nic/NIC_2025_project.html, access 16 January 2009.
- ii. http://trade.ec.europa.eu/doclib/docs/2006/october/tradoc_130376.pdf
- iii. See my recent publication, *Ending Aid Dependence*, South Centre, 2008, <http://www.aidexit.org/>
- iv. UNHRC, Press release: *Special Session of Human Rights Council adopts resolution on grave human rights violations in Gaza Strip*, 'In the resolution, which was adopted by a vote of 33 to 1 with 13 abstentions, the Council called for the immediate cessation of Israeli military attacks throughout the Palestinian Occupied Territory; demanded the occupying power, Israel, to immediately withdraw its military forces from the occupied Gaza Strip; called upon the occupying power to end its occupation to all Palestinian lands occupied since 1967, and to respect its commitment within the peace process towards the establishment of the independent sovereign Palestinian state with east Jerusalem as its capital; demanded that the occupying power stop the targeting of civilians and medical facilities and staff as well as the systematic destruction of cultural heritage; demanded further that the occupying power lift the siege, open all borders; and decided to dispatch an urgent independent international fact-finding mission to investigate all violations of international human rights law and international humanitarian law by the occupying power against the Palestinian people throughout the Occupied Palestinian Territory. The Council also requested the United Nations Secretary-General to investigate the latest targeting of UNRWA facilities in Gaza, including schools, that resulted in the killing of tens of Palestinian civilians, including women and children.'
- v. *Haaretz*, October 21, 2007
- vi. See *Middle East Economic Digest*, Jan 5, 2001
- vii. *Times*, May, 23, 2007
- viii. See Michel Chossudovsky, "The War on Lebanon and the Battle for Oil", *Global Research*, July 23, 2006; and "War and Natural Gas: The Israeli Invasion and Gaza's Offshore Gas Fields", *Global Research*, January 8, 2009
- ix. See Barak Ravid, "Operation Cast Lead: Israeli Air Force strike followed months of planning", *Haaretz*, December 27, 2008.
- x. Arthur Koestler (1949), *Promise and Fulfilment: Palestine 1917-1949*, Macmillan & Co., Ltd, London
- xi. See *United States Department of State / Foreign relations of the United States, 1948. The Near East, South Asia, and Africa*, Volume V, Part 2
- xii. See Richard Curtiss, ed., *Washington Report on Middle East Affairs, Press for Conversion Issue*, No.51, May 2003.
- xiii. Aljazeera.net: 'Israel accused of Gaza 'genocide'', January 14, 2009, see <http://english.aljazeera.net/news/americas/2009/01/200911321467988347.html>
- xiv. See Benny Morris, "Why Israel feels threatened", *Financial Times*, January 1, 2009
- xv. Steven M. Cohen, Ari Y. Kelman, With The Assistance Of Lauren Blitzer (2007), 'Beyond Distancing: Young Adult American Jews and Their Alienation from Israel' (Andrea and Charles Bronfman Philanthropies, 2007). See: <http://www.acbp.net/About/PDF/Beyond%20Distancing.pdf>
- xvi. See Chris Hedges, "The Language of Death" http://www.truthdig.com/report/item/20090112_the_language_of_death.
- xvii. *Economist* (2006), 10 January.
- xviii. Dated January 19, 2009 (Vol 173, No 2).

South Centre News

Guyana makes a financial contribution of USD 32,461 to the operations of the South Centre.

Observer Status at the UN General Assembly. On 11 December, on the recommendation of the Legal Committee, the Assembly granted South Centre an observer status in its work.

Twenty Second Meeting of the Board takes place in Geneva on 8-9 February 2009. The Tenth Meeting of the Council of Representatives takes place on 9 February 2009.

New Publications:

- Developed Country Climate Financing Initiatives Weaken the UNFCCC
- Article XXIV and RTAs: How Much Wiggle Room for Developing Countries?

New Translations Available:

- South Perspective - A Guide to Pharmaceutical Patents I and II (French and Spanish)
- Ending Aid Dependence - (Foreword and Conclusions in French and Spanish)

For more information: www.SouthCentre.org (English, French, Spanish)

Holocaust Denied: The lying silence of those who know

John Pilger

"When the truth is replaced by silence," the Soviet dissident Yevgeny Yevtushenko said, "the silence is a lie." It may appear the silence is broken on Gaza. The cocoons of murdered children, wrapped in green, together with boxes containing their dismembered parents and the cries of grief and rage of everyone in that death camp by the sea, can be viewed on Al-Jazeera and YouTube, even glimpsed on the BBC. But Russia's incorrigible poet was not referring to the ephemeral we call news; he was asking why those who knew the why never spoke it and so denied it. Among the Anglo-American intelligentsia, this is especially striking. It is they who hold the keys to the great storehouses of knowledge: the historiographies and archives that lead us to the why.

They know that the horror now raining on Gaza has little to do with Hamas or, absurdly, "Israel's right to exist." They know the opposite to be true: that Palestine's right to exist was cancelled 61 years ago and the expulsion and, if necessary, extinction of the indigenous people was planned and executed by the founders of Israel. They know, for example, that the infamous "Plan D" resulted in the murderous depopulation of 369 Palestinian towns and villages by the Haganah (Jewish army) and that massacre upon massacre of Palestinian civilians in such places as Deir Yassin, al-Dawayima, Eilaboun, Jish, Ramle and Lydda are referred to in official records as "ethnic cleansing."

Every subsequent "war" Israel has waged has had the same objective: the expulsion of the native people and the theft of more and more land. The lie of David and Goliath, of perennial victim, reached its apogee in 1967 when the propaganda became a righteous fury that claimed the Arab states had struck first. Since then, mostly Jewish truth-tellers such as Avi Schlaim, Noam Chomsky, the late Tanya Reinhart, Neve Gordon, Tom Segev, Yuri Avnery, Ilan Pappé and Norman Finklestein have dispatched this and other myths and revealed a state shorn of the humane traditions of Judaism, whose unrelenting militarism is the sum of an expansionist, lawless and racist ideology called Zionism. "It seems," wrote the Israeli historian Ilan Pappé on 2 January, "that even the most horrendous crimes, such as the genocide in Gaza, are treated as desperate events, unconnected to anything that happened in the past and not associated with any ideology or system... Very much as the apartheid ideology explained the oppressive policies of the South African government, this ideology - in its most con-

sensual and simplistic variety - has allowed all the Israeli governments in the past and the present to dehumanize the Palestinians wherever they are and strive to destroy them. The means altered from period to period, from location to location, as did the narrative covering up these atrocities. But there is a clear pattern [of genocide]."

In Gaza, the enforced starvation and denial of humanitarian aid, the piracy of life-giving resources such as fuel and water, the denial of medicines and treatment, the systematic destruction of infrastructure and the killing and maiming of the civilian population, 50 per cent of whom are children,

meet the international standard of the Genocide Convention. "Is it an irresponsible overstatement," asked Richard Falk, the United Nations Special Rapporteur for Human Rights in the Occupied Palestinian Territory and international law authority at Princeton University, "to associate the treatment of Palestinians with this criminalized Nazi record of collective atrocity? I think not." Falk is also a Jew.

Today's holocaust-in-the-making, which began with Israel first prime minister, Ben-Gurion's Plan D, is in its final stages. The difference today is that it is a joint US-Israeli project. The F-16 jet fighters, the 250-pound "smart" GBU-39 bombs supplied on the eve of the attack on Gaza, having been approved by a Congress domi-

nated by the Democratic Party, plus the annual \$2.4 billion in war-making "aid", give Washington de facto control. It beggars belief that President-elect Obama was not informed.

The asymmetry of conquest and terror is clear. Plan D is now "Operation Cast Lead," which is the unfinished "Operation Justified Vengeance." The latter was launched by Prime Minister Ariel Sharon in 2001 when, with Bush's approval, he used F-16s against Palestinian towns and villages for the first time. In the same year, the authoritative Jane's Foreign Report disclosed that the Blair government had given Israel the "green light" to attack the West Bank after it was shown Israel's secret designs for a bloodbath. It was typical of New Labor Party's enduring, cringing complicity in Palestine's agony. However, the 2001 Israeli plan, reported Jane's, needed the "trigger" of a suicide bombing which would cause "numerous deaths and injuries [because] the 'revenge' factor is crucial." This would "motivate Israeli soldiers to demolish the Palestinians." What alarmed Sharon and the author of the plan, General Shaul Mofaz, the Israeli Chief of Staff, was a secret agreement between Yasser Arafat and Hamas to ban suicide attacks. On 23 November, 2001, Israeli agents assassinated the Hamas leader, Mahmud Abu Hunud, and

"Among the Anglo-American intelligentsia, this [silence] is especially striking. It is they who hold the keys to the great storehouses of knowledge: the historiographies and archives that lead us to the why."

Holocaust Denied: The lying silence of those who know

got their "trigger"; the suicide attacks resumed in response to his killing.

Something uncannily similar happened on 5 November last, when Israeli special forces attacked Gaza, killing six people. Once again, they got their propaganda "trigger." A ceasefire initiated and sustained by the Hamas government - which had imprisoned its violators - was shattered by the Israeli attack and homemade rockets were fired into what used to be Palestine before its Arab occupants were "cleansed." Then on 23 December, Hamas offered to renew the ceasefire, but Israel's charade was such that its all-out assault on Gaza had been planned six months earlier, according to the Israeli daily Ha'aretz.

Behind this sordid game is the "Dagan Plan," named after General Meir Dagan, who served with Sharon in his bloody invasion of Lebanon in 1982. Now head of Mossad, the Israeli intelligence organization, Dagan is the author of a "solution" that has seen the imprisonment of Palestinians behind a ghetto wall snaking across the West Bank and in Gaza, effectively a concentration camp. The establishment of a quisling government in Ramallah under Mohammed Abbas is Dagan's achievement, together with a hasbara (propaganda) campaign relayed through a mostly supine, if intimidated western media, notably in America, that says Hamas is a terrorist organization devoted to Israel's destruction and to "blame" for the massacres and siege of its own people over two generations, long before its creation. "We have never had it so good," said the Israeli Foreign Ministry spokesman Gideon Meir in 2006. "The hasbara effort is a well-oiled machine." In fact, Hamas's real threat is its example as the Arab world's only democratically elected government, drawing its popularity from its resistance to the Palestinians' oppressor and tormentor. This was demonstrated when Hamas foiled a CIA coup in 2007, an event ordained in the western media as "Hamas's seizure of power." Likewise, Hamas is never described as a government, let alone democratic. Neither is its proposal of a ten-year truce as a historic recognition of the "reality" of Israel and support for a two-state solution with just one condition: that the Israelis obey international law and end their illegal occupation beyond the 1967 borders. As every annual vote in the UN General Assembly demonstrates, 99 per cent of humanity concurs. On 4 January, the president of the General Assembly, Miguel d'Escoto, described the Israeli attack on Gaza as a "monstrosity."

When the monstrosity is done and the people of Gaza are even more stricken, the Dagan Plan foresees what Sharon

called a "1948-style solution" - the destruction of all Palestinian leadership and authority followed by mass expulsions into smaller and smaller "cantonments" and perhaps finally into Jordan. This demolition of institutional and educational life in Gaza is designed to produce, wrote Karma Nabulsi, a Palestinian exile in Britain, "a Hobbesian vision of an anarchic society: truncated, violent, powerless, destroyed, cowed ... Look to the Iraq of today: that is what [Sharon] had in store for us, and he has nearly achieved it."

Breaking the lie of silence is not an esoteric abstraction but an urgent responsibility that falls to those with the privilege of a platform. With the BBC cowed, so too is much of journalism, merely allowing vigorous debate within unmovable invisible boundaries, ever fearful of the smear of anti-Semitism. The unreported news, meanwhile, is that the death toll in Gaza is the equivalent of 18,000 dead in Britain. Imagine, if you can.

Then there are the academics, the deans and teachers and researchers. Why are they silent as they watch a university bombed and hear the Association of University Teachers in Gaza plea for help? Are British universities now, as Terry Eagleton believes, no more than "intellectual Tesco's, churning out a commodity known as graduates rather than greengroceries"?

Then there are the writers. In the dark year of 1939, the Third Writers' Congress was held at Carnegie Hall in New York and the

likes of Thomas Mann and Albert Einstein sent messages and spoke up to ensure the lie of silence was broken. By one account, 3,500 jammed the auditorium and a thousand were turned away. Today, this mighty voice of realism and morality is said to be obsolete; the literary review pages affect an ironic hauteur of irrelevance; false symbolism is all. As for the readers, their moral and political imagination is to be pacified, not primed. The anti-Muslim Martin Amis expressed this well in Visiting Mrs. Nabokov: "The dominance of the self is not a flaw, it is an evolutionary characteristic; it is just how things are."

If that is how things are, we are diminished as a civilized society. For what happens in Gaza is the defining moment of our time, which either grants the impunity of war criminals the immunity of our silence, while we contort our own intellect and morality, or gives us the power to speak out.

John Pilger is a world-renowned journalist, author and documentary filmmaker.

This is an abridged version. The full version is available at:

<http://www.johnpilger.com/page.asp?partid=519>

"Breaking the lie of silence is not an esoteric abstraction but an urgent responsibility that falls to those with the privilege of a platform."

End the Scourge of War

Miguel d'Escoto Brockmann

We meet today under the most urgent, indeed the most desperate, of circumstances. The crisis in the Occupied Palestinian Territory, specifically in the Gaza Strip, has raged for far too long. Too many have died – especially, too many women and children have died. And too many UN workers have been killed and gravely injured, and too many United Nations buildings, including schools and hospitals, have been damaged and destroyed.

We here in United Nations headquarters have remained too passive for too long as the carnage continues. Every day, we receive messages from Gaza and from around the world asking, indeed pleading, for the UN to stop the violence, protect civilians and attend to the humanitarian needs.

During this assault, more than 1,000 Palestinians have been killed, one-third of them children. More bodies remain buried under the rubble, out of reach of humanitarian workers because the shelling is too intense – the living would be killed trying to reach the dead. If this onslaught in Gaza is indeed a war, it is a war against a helpless, defenceless, imprisoned population.

The fact that Gaza's population is imprisoned – they cannot leave, they cannot run, they have nowhere to hide from air strikes, artillery, or naval attacks – is particularly important to us in the United Nations, keeping in mind our obligations under Article 1 of our Charter to defend international law.

Israel remains the occupying power in the Occupied Palestinian Territory, including the Gaza Strip, and it has specific obligations under the Geneva Conventions to protect the occupied population. Instead of providing protection as mandated by international law, the occupying power is denying this population, 80 percent of whom are already refugees and more than half of whom are children, the option to seek refuge and find shelter from the war. Gaza's civilians find themselves locked inside a lethal war zone behind a wall surrounding their densely populated territory. They have no means of escape.

We know the history of Israel's failure to protect the occupied Palestinian population. I will not repeat that history here. But we should keep in mind that under the Geneva Conventions, the obligations of an occupying power to provide safety – along with food, water, education, freedom of religion, and more – to the occupied population is no less,

in fact is arguably greater than its obligations to protect its own citizens. When an occupying power fails in that obligation, then it becomes the responsibility of the international community as a whole, represented here in the United Nations, to provide that protection.

The Palestinians, as an unlawfully occupied population, enjoy the right of resistance within the constraints of international humanitarian law. The rocket attacks by Palestinians against Israeli towns are illegal. No one, not in Sderot or Ashkelon, not in Rafah or Beit Hanoun, should have to live in such fear.

“The violations of international law inherent in the Gaza assault have been well documented: Collective punishment. Disproportionate military force. Attacks on civilian targets, including homes, mosques, universities, schools.”

It is a terrible irony that this onslaught in Gaza, what Israel calls its “war on terror,” has led to the deaths of – so far – 13 Israelis, ten of them soldiers, at least four by so-called “friendly fire.” A terrible irony because during the five months of the ceasefire last year, not a single Israeli was killed.

The violations of international law inherent in the Gaza assault have been well documented: Collective punishment. Disproportionate military force. Attacks on civilian targets, including homes, mosques, universities, schools.

Last week an Israeli air strike against one of our schools, a United Nations school, killed at least 43 people. Many of them were children. And all of them were be-

leaguered and frightened families seeking shelter from bombs and air strikes. They sought shelter from the United Nations when their homes were bombed, when they were warned to flee an approaching bombing raid but had nowhere else to go, when they faced the most desperate decision any parents are ever forced to make – how to keep their children safe.

Those families turned to us, to the United Nations, and we failed in our obligation to keep them safe.

But there is still another violation – one in which we, as the United Nations, are directly complicit. The blockade of Gaza, which has now been going on for 19 months, has been directly responsible for the widespread humanitarian crisis in Gaza even before the current Israeli assault began. That blockade, imposed by the Occupying Power, is in violation of Article 33 of the Geneva Convention which prohibits collective punishment under any circumstances.

Yet the blockade has been endorsed, at least tacitly, by powerful parties grouped in the Quartet, placing this Organiza-

End The Scourge of War

tion in a dubious role and in violation of our obligations under the Charter and international law.

There appears to a presumption by some that if the Security Council is seized of a matter or has decided to respond to the current crisis in Gaza within the grouping of the Quartet or other Member States, that this body is bound, and must confine itself to supporting and following their lead. Yet in my capacity as President, in your individual capacity as Member States, and all of us together share both an individual and collective responsibility as the United Nations General Assembly to uphold the Charter and ensure compliance with UN resolutions and international law.

In assuming this office I made a solemn commitment and undertook as a priority of the 63rd session the democratization and revitalization of the General Assembly. While it is not my role to prescribe a solution or pretend to settle this long-standing conflict, it is my duty to remind Member States of their and our responsibilities and obligations under the law of the United Nations, and to call to their attention to relevant instruments, reports and findings to assist in the settlement of the dispute on the basis of international law.

It behooves us, then, to consider the implications of the UN's continued presence in the Quartet, and we should take into due consideration the counsel of our own judicial organs – the International Court of Justice, the Human Rights Council, the UN High Commissioner for Human Rights and the UN Special Rapporteurs.

In 2007 the Special Rapporteur for Human Rights in the Occupied Palestinian Territory, Professor John Dugard, took note of the requirements of the Advisory Opinion of the International Court of Justice regarding certain Israeli violations of international law. He noted that while the United States, the Russian Federation and the European Union, three of the four members of the Quartet, all had the right to ignore the Advisory Opinion of the International Court of Justice, that the “position of the United Nations is, however, very different. The International Court of Justice is the judicial organ of the United Nations.”

Dugard went on to say that... “Moreover the General Assembly has by an overwhelming majority repeatedly given its approval to the Opinion. This means that it is now part of the law of the United Nations. As such the representative of the United Nations in the Quartet – the Secretary General or his representative – is in law obliged to be guided by the Opinion and to endeavour in good faith to do his or her best to ensure compliance with the Opinion. If the Secretary-General (or his representative) is politically unable to do so

he has two choices: either to withdraw from the Quartet or to explain to his constituency – ‘We the peoples of the United Nations’ in the language of the Charter – why he is unable to do so and how he justifies remaining in the Quartet in the light of its refusal to be guided by the law of the United Nations. The first course is possibly unwise at this time as this would deprive the United Nations of a role in the peace process. This makes the second course essential.”

Even without a new Advisory opinion, it is clear that the earlier judgment stands. Israel continues to violate international humanitarian law and human rights law.

“Our medium-term goal of a “durable” and lasting peace cannot be achieved without addressing the root causes of the conflict.”

We are all fully aware that the Security Council passed resolution 1860 last week. But the relentless onslaught continues in Gaza. Gaza is ablaze. It has been turned into a real burning hell.

The Council called for a ceasefire – but the demand was undermined by the insistence that it be both “immediate” and “durable.” This is double-talk. The obligation for an immediate ceasefire is both unconditional and urgent. Our medium-term goal of a “durable” and lasting peace cannot be achieved with-

out addressing the root causes of the conflict.

The resolution called for unimpeded humanitarian assistance – but it was undermined by the absence of a demand to end the now 19-month closure of Gaza's border crossings by the occupying power in a blockade supported by some of the most powerful members of the Council itself. We all knew such a call, without implementation or enforcement, would be ignored with impunity.

So far, the Security Council resolution has been rejected by both sides, Israel and Hamas. According to reports, the Hamas rejection appears to be based primarily on the fact that the resolution did not call for lifting the blockade that has caused such devastation among the Gazan people for 18 months, even before the current military assault. While it should not be a basis for rejecting an immediate ceasefire, numerous United Nations and other humanitarian agencies, have recognized the long-term closure of Gaza's border crossings as not only causing a humanitarian disaster, but as a clear violation of international law, particularly the Geneva Convention's obligations on occupying powers to protect the occupied population.

The Israeli rejection is clear: The Prime Minister rejected explicitly and unequivocally any legitimacy or authority for the Security Council, stating that “the State of Israel has

End The Scourge of War

never agreed that any outside body would determine its right to defend the security of its citizens.” Israel is a Member State of the United Nations; as such, is it not obligated to accept and indeed implement Security Council decisions?

It seems to me ironic that Israel, a State that, more than any other, owes its very existence to a General Assembly resolution, should be so disdainful of United Nation’s resolutions. Prime Minister Olmert’s recent statement disavowing the authority of Security Council Resolution 1860 clearly places Israel as a State in contempt of international law and the United Nations.

The foreign minister, dismissing the Council resolution altogether, asserted Israel’s “right to self-defense.” But if Israel’s rejection is based on such a claim, it should recognize that according to Article 51 of the Charter, “measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.” Additionally, the right of self-defense lasts only “until the Security Council has taken measures necessary to maintain international peace and security.”

The Security Council took the measure it deemed necessary with the passage of Resolution 1860; even if it had been valid, any Israeli self-defense claim terminated at that moment.

The Council may have found itself unable or unwilling to take the necessary steps to impose an immediate ceasefire – but outsourcing these efforts to one or two governments or through the Quartet does not relieve the Council of it’s own responsibilities under the UN Charter. The Council cannot disavow its collective responsibility. It cannot continue to fiddle while Gaza burns.

“It seems to me ironic that Israel, a State that, more than any other, owes its very existence to a General Assembly resolution, should be so disdainful of United Nation’s resolutions.”

Passage of the Security Council resolution does not eliminate our responsibility. We in the General Assembly, who represent ALL the nations and peoples of the world, still have a corresponding individual and collective obligation of our own. And we will respond to that obligation.

We, the United Nations, must stand with the people around the world who are calling, and acting, to bring an end to this death and destruction. We must stand with the brave Israelis who came out to protest this war, and we must stand with those in the frightened city of Sderot who called for “Another Voice” to answer the fear of rocket-fire with reconciliation and not war.

We must stand with the hundreds of thousands of people who have stopped the trains, petitioned their governments, poured into the streets around the world, all calling for an end to war. That is our obligation, our responsibility, our duty, as we work, mourning so many deaths, for an immediate ceasefire.

Of course it will be up to the members of the General Assembly as a whole to determine the resolution we should pass. But I believe that our resolution must reflect the urgency of this moment, the urgency of our commitment to end this slaughter. We do not have time for long complicated resolutions, recalling every

previous position and re-examining every unfilled mandate. This is the moment for an emergency response.

I hope, and I believe, that our work today will indeed allow us to make good on our founding promise, now so desperately needed by the people of Gaza – and of Sderot – to end this scourge of war.

Miguel d’Escoto Brockmann is the President of the 63rd session of the United Nations General Assembly.

Excerpts from his Statement to the 32nd Plenary Meeting of the 10th Emergency Special Session on the Illegal Israeli Actions in Occupied East Jerusalem and the Rest of the Occupied Palestinian Territory on 15th January 2009.

UN General Assembly Adopts Resolution Demanding Full Respect for Security Council Resolution 1860

The General Assembly, gravely concerned about the intensified military operations in the Gaza Strip and heavy civilian casualties since last week’s adoption of resolution 1860 by the Security Council, has demanded full respect for that text, including its urgent call for an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces and unimpeded provision of humanitarian assistance.

The resolution on the issue was adopted on 16th January 2009 by a vote of 142 in favour to 4 against.

Accountability Must Be Ensured for Violations of International Law

Navanethem Pillay

Let me stress unequivocally that international human rights law applies in all circumstances and at all times. In particular, the right to life should be protected even in the course of hostilities. Belligerents must also abide by international humanitarian law, which upholds the inviolability of non-combatants.

Let me also underscore that while indiscriminate rocket attacks against civilian targets in Israel are unlawful, Israel's responsibility to fulfill its international obligations is completely independent from the compliance of Hamas with its own obligations under international law. States' obligations, particularly those related to the protection of civilian life and civilian objects, are not subject to reciprocity.

Furthermore, under both international human rights law and international humanitarian law, the effective control of the Gaza Strip that Israel exercises places responsibilities on Israel for the welfare of the civilian population there.

I emphasize that article 33 of the Fourth Geneva Convention prohibits collective penalties, or collective punishment of the civilian population. Likewise, all measures of intimidation or of terrorism are prohibited.

I also wish to stress that the three cardinal principles of international humanitarian law, namely proportionality, distinction, and precaution, fully apply in the context of this conflict, as they do in any other war situation. The first principle prohibits attacks that may be expected to cause such loss of civilian life or injury to civilians that would be excessive in relation to the anticipated military advantage. The second principle imposes on belligerents the obligation to distinguish between civilians and combatants, and between civilian objects and military objectives. Attacks may only be directed against combatants or legitimate military objectives. The last norm binds parties to a conflict to take all feasible precautions to avoid, or at least minimize incidental loss of civilian life, injury to civilians and damage to civilian objects.

Harm to civilians caused by rockets fired from the Gaza Strip into Israel is unacceptable. Retaliatory air strikes by Israeli forces exact an unbearable toll in lives and livelihoods, as civilians and civilian infrastructure are constantly exposed to extreme danger in an area that is one of the most densely populated in the world.

I also wish to underline that action on the part of Israel's opponents that may deliberately put civilians at risk in the Gaza Strip is prohibited under international law. This would include the use of people as human shields. I strongly urge

the parties to the conflict to fulfill their obligations under international humanitarian law to collect, care for and evacuate the wounded and to protect and respect health workers, hospitals, medical units and ambulances.

Accountability must be ensured for violations of international law. As a first step, credible, independent, and transparent investigations must be carried out to identify violations and establish responsibilities. Equally crucial is upholding the right of victims to reparation. I remind this Council that violations of international humanitarian law may constitute war crimes for which individual criminal responsibility may be invoked.

I stress the need to deploy human rights monitors in both Israel and the Occupied Palestinian Territory who can independently document violations of international human rights and humanitarian law that may have been perpetrated. I also urge that Special Procedures mandate holders be granted unrestricted access to Gaza and the West Bank.

Likewise, the press and nongovernmental organizations should be allowed access

into the affected areas in order to inform and assist the public. In this respect, I welcome the recent decision by the Supreme Court of Israel to allow some foreign journalists to enter the Gaza Strip. In its judgment the Court emphasized that freedom of expression, and the freedom of the press to provide information, as well as the right of the public to receive it, do not disappear in time of war. Significantly, the Court further stated that these freedoms and rights acquire an additional value in time of conflict.

Indeed, it is at such times that rights and freedoms must be kept in sharp focus. I reiterate that human rights must be upheld irrespective of whether the parties reach a political settlement of their dispute.

Surely, the many victims of the conflict in the Middle East, those whose rights are abused on a daily basis, deserve the international community's commonality of purpose and resolve.

Navanethem Pillay is the United Nations High Commissioner for Human Rights.

Excerpts from her Statement to the Ninth Special Session of the Human Rights Council on The Grave Violations of Human Rights in the Occupied Palestinian Territory including the recent aggression of the occupied Gaza Strip on 9th January 2009.

Full text is available at: <http://www.unhchr.ch/>

"...violations of international humanitarian law may constitute war crimes for which individual criminal responsibility may be invoked."

Mahatma Gandhi on the Palestine Question (continued from page 21)

the Arab heart. The same God rules the Arab heart who rules the Jewish heart. They can offer satyagraha in front of the Arabs and offer themselves to be shot or thrown into the Dead Sea without raising a little finger against them. They will find the world opinion in their favour in their religious aspiration. There are hundreds of ways of reasoning with the Arabs, if they will only discard the help of the British bayonet. As it is, they are co-sharers with the

British in despoiling a people who have done no wrong to them.

I am not defending the Arab excesses. I wish they had chosen the way of non-violence in resisting what they rightly regarded as an unwarrantable encroachment upon their country. But according to the accepted canons of right and wrong, nothing can be said against the Arab resistance in the face of overwhelming odds.

Let the Jews who claim to be the chosen race prove their title by choosing the way of non-violence for vindicating their position on earth. Every country is their home including Palestine not by aggression but by loving service. A Jewish friend has sent me a book called *The Jewish Contribution to Civilization*

by Cecil Roth. It gives a record of what the Jews have done to enrich the world's literature, art, music, drama, science, medicine, agriculture, etc. Given the will, the Jew can refuse to be treated as the outcaste of the West, to be despised or patronized. He can command the attention and respect of the world by being man, the chosen creation of God, instead of being man who is fast sinking to the brute and forsaken by God. They can add to their many contributions the surpassing contribution of non-violent action.

Collected Works of Mahatma Gandhi, Vol. 74: 9 September, 1928–29 January, 1939, pp 239-242.

The following was written on July 14, 1946, PANCHGANI, Harijan, 21-7-1946

JEWS AND PALESTINE

Hitherto I have refrained practically from saying anything in public regarding the Jew-Arab controversy. I have done so for good reasons. That does not mean any want of interest in the question, but it does mean that I do not consider myself sufficiently equipped with knowledge for the purpose. For the same reason I have tried to evade many world events. Without airing my views on them, I have

enough irons in the fire. But four lines of a newspaper column have done the trick and evoked a letter from a friend who has sent me a cutting which I would have missed but for the friend drawing my attention to it. It is true that I did say some such thing in the course of a long conversation with Mr. Louis Fischer on the subject. I do believe that the Jews have been cruelly wronged by the world. "Ghetto" is, so far as I am aware, the name given to Jewish locations in many parts of Europe. But for their heartless persecution, probably no question of return to Palestine would ever have arisen. The world should have been their home, if only for the sake of their distinguished contribution to it.

"...they (Jews) have erred grievously in seeking to impose themselves on Palestine with the aid of America and Britain and now with the aid of naked terrorism."

But, in my opinion, they have erred grievously in seeking to impose themselves on Palestine with the aid of America and Britain and now with the aid of naked terrorism. Their citizenship of the world should have and would have made them honoured guests of any country. Their thrift, their varied talent, their great industry should have made them welcome anywhere. It is a blot on the Christian world that they have been singled out, owing to a wrong reading of the New Testament, for prejudice against them. "If an individual Jew does a wrong, the whole Jewish world is to

blame for it." If an individual Jew like Einstein makes a great discovery or another composes unsurpassable music, the merit goes to the authors and not to the community to which they belong.

No wonder that my sympathy goes out to the Jews in their unenviably sad plight. But one would have thought adversity would teach them lessons of peace. Why should they depend upon American money or British arms for forcing themselves on an unwelcome land? Why should they resort to terrorism to make good their forcible landing in Palestine? If they were to adopt the matchless weapon of non-violence whose use their best Prophets have taught and which Jesus the Jew who gladly wore the crown of thorns bequeathed to a groaning world, their case would be the world's, and I have no doubt that among the many things that the Jews have given to the world, this would be the best and the brightest. It is twice blessed. It will make them happy and rich in the true sense of the word and it will be a soothing balm to the aching world.

Collected Works of Mahatma Gandhi, Vol. 91: 20 May, 1946–8 August, 1946, pp 272-273.

Mahatma Gandhi on the Palestine Question

justice and democracy and one which is the declared enemy of both? Or is England drifting towards armed dictatorship and all it means?

Germany is showing to the world how efficiently violence can be worked when it is not hampered by any hypocrisy or weakness masquerading as humanitarianism. It is also showing how hideous, terrible and terrifying it looks in its nakedness, shameless persecution? Is there a way to preserve their self-respect, and not to feel helpless, neglected and forlorn? I submit there is. No person who has faith in a living God need feel helpless or forlorn. Jehovah of the Jews is a God more

personal than the God of the Christians, the Mussalmans or the Hindus, though, as a matter of fact in essence, He is common to all and one without a second and beyond description. But as the Jews attribute personality to God and believe that He rules every action of theirs, they ought not to feel helpless. If I were a Jew and were born in Germany and earned my livelihood there, I would claim Germany as my home even as the tallest gentile German may, and challenge him to shoot me or cast me in the dungeon; I would refuse to be expelled or to submit to discriminating treatment. And for doing this, I should not wait for the fellow Jews to join me in civil resistance but would have confidence that in the end the rest are bound to follow my example. If one Jew or

all the Jews were to accept the prescription here offered, he or they cannot be worse off than now. And suffering voluntarily undergone will bring them an inner strength and joy which no number of resolutions of sympathy passed in the world outside Germany can. Indeed, even if Britain, France and America were to declare hostilities against Germany, they can bring no inner joy, no inner strength. The calculated violence of Hitler may even result in a general massacre of the Jews by way of his first answer to the declaration of such hostilities. But if the Jewish mind could be prepared for voluntary suffering, even the massacre I have imagined could be turned into a day of thanksgiving and joy that Jehovah had wrought deliverance of the race even at the hands of the tyrant. For to the godfearing, death has no terror. It is a joyful sleep to be followed by a waking that would be all the more refreshing for the long sleep.

It is hardly necessary for me to point out that it is easier for the Jews than for the Czechs to follow my prescription. And they have in the Indian satyagraha campaign in South Africa an exact parallel. There the Indians occupied precisely the same place that the Jews occupy in Germany. The persecu-

tion had also a religious tinge. President Kruger used to say that the white Christians were the chosen of God and Indians were inferior beings created to serve the whites. A fundamental clause in the Transvaal constitution was that there should be no equality between the whites and coloured races including Asiatics. There too the Indians were consigned to ghettos described as locations. The other disabilities were almost of the same type as those of the Jews in Germany. The Indians, a mere handful, resorted to satyagraha without any backing from the world outside or the Indian Government. Indeed the British officials tried to

dissuade the satyagrahis from their contemplated step. World opinion and the Indian Government came to their aid after eight years of fighting. And that too was by way of diplomatic pressure not of a threat of war.

But the Jews of Germany can offer satyagraha under infinitely better auspices than the Indians of South Africa. The Jews are a compact, homogeneous community in Germany. They are far more gifted than the Indians of South Africa. And they have organized world opinion behind them. I am convinced that if someone with courage and vision can arise among them to lead them in non-violent action, the winter of their despair can in the twinkling of an eye be turned into the summer of hope.

And what has today become a degrading man-hunt can be turned into a calm and determined stand offered by unarmed men and women possessing the strength of suffering given to them by Jehovah. It will be then a truly religious resistance offered against the godless fury of dehumanized man. The German Jews will score a lasting victory over the German gentiles in the sense that they will have converted the latter to an appreciation of human dignity. They will have rendered service to fellow-Germans and proved their title to be the real Germans as against those who are today dragging, however unknowingly, the German name into the mire.

And now a word to the Jews in Palestine. I have no doubt that they are going about it the wrong way. The Palestine of the Biblical conception is not a geographical tract. It is in their hearts. But if they must look to the Palestine of geography as their national home, it is wrong to enter it under the shadow of the British gun. A religious act cannot be performed with the aid of the bayonet or the bomb. They can settle in Palestine only by the goodwill of the Arabs. They should seek to convert

(continued on page 20)

“Let the Jews who claim to be the chosen race prove their title by choosing the way of non-violence for vindicating their position on earth. Every country is their home including Palestine not by aggression but by loving service.”



SOUTH BULLETIN :
Reflections and Foresights

SOUTH CENTRE

CP 228
1211 Geneva 19
Switzerland
Tel: +41 22 791 8050
Fax: + 41 22 798 85 31

Email: south@southcentre.org
www.SouthCentre.org

www.SouthCentre.org

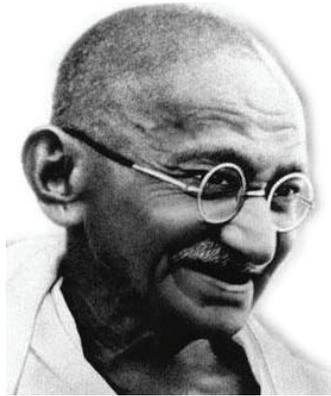
CALL FOR ARTICLES

**We welcome your analysis
(up to 2000 words) on
ongoing and emerging
issues for publishing in the
South Bulletin.**

**Send them to: Vikas Nath
at nath@southcentre.org**

**South Centre
Blog and Digital TV
www.southcentre.org**

Mahatma Gandhi on the Palestine Question



As we are witness to the barbaric attack on Palestine by the colonial settler state of Israel , it may be worthwhile to read what Mahatma Gandhi had to say about the creation of Israel and the Zionist politics of that time.

*The following was written on **November 20, 1938, SEAGON, Harijan, 26-11-1938.***

Several letters have been received by me asking me to declare my views about the Arab-Jew question in Palestine and the persecution of the Jews in Germany . It is not without hesitation that I venture to

offer my views on this very difficult question.

My sympathies are all with the Jews. I have known them intimately in South Africa . Some of them became life-long companions. Through these friends I came to learn much of their age-long persecution. They have been the untouchables of Christianity. The parallel between their treatment by Christians and the treatment of untouchables by Hindus is very close. Religious sanction has been invoked in both cases for the justification of the inhuman treatment meted out to them. Apart from the friendships, therefore, there is the more common universal reason for my sympathy for the Jews.

But my sympathy does not blind me to the requirements of justice. The cry for the national home for the Jews does not make much appeal to me. The sanction for it is sought in the Bible and the tenacity with which the Jews have hankered after return to Palestine. Why should they not, like other peoples of the earth, make that country their home where they are born and where they earn their livelihood?

Palestine belongs to the Arabs in the same sense that England belongs to the English or France to the French. It is wrong and inhuman to impose the Jews on the Arabs. What is going on in Palestine today cannot be justified by any moral code of conduct. The mandates have no sanction but that of the last war. Surely it would be a crime against humanity to reduce the proud Arabs so that Palestine can be restored to the Jews partly or wholly as their national home.

The nobler course would be to insist on a just treatment of the Jews wherever they are born and bred. The Jews born in France are French in precisely the same sense that Christians born in France are French. If the Jews have no home but Palestine , will they relish the idea of being forced to leave the other parts of the world in which they are settled? Or do they want a double home where they can remain at will? This cry for the national home affords a colourable justification for the German expulsion of the Jews.

But the German persecution of the Jews seems to have no parallel in history. The tyrants of old never went so mad as Hitler seems to have gone. And he is doing it with religious zeal. For he is propounding a new religion of exclusive and militant nationalism in the name of which any inhumanity becomes an act of humanity to be rewarded here and hereafter. The crime of an obviously mad but intrepid youth is being visited upon his whole race with unbelievable ferocity. If there ever could be a justifiable war in the name of and for humanity, a war against Germany, to ... [text missing in original].

Can the Jews resist this organized and prevent the wanton persecution of a whole race, would be completely justified? But I do not believe in any war. A discussion of the pros and cons of such a war is therefore outside my horizon or province.

But if there can be no war against Germany , even for such a crime as is being committed against the Jews, surely there can be no alliance with Germany . How can there be alliance between a nation which claims to stand for **(continued on the inside back cover)**