DOCUMENTS AND SOURCE MATERIAL

INTERNATIONAL


The secretary-general’s report was prepared in keeping with UN General Assembly Resolution ES-10/13 of 21 October 2003, which “demand[ed] that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure of the Armistice Line of 1949 and is in contradiction to relevant provisions of international law.” The resolution had also called upon the secretary-general to report periodically on Israel’s compliance with the demand of the resolution, which was approved by 144 member states (including all members of the European Union), with four votes against (Israel, the Marshall Islands, Micronesia, and the United States) and twelve abstentions. The secretary-general’s report covers the background, description, construction progress, and impact of the wall. Reproduced below are the secretary-general’s concluding “observations” and the summary of Israel’s legal position. The document is available on the International Court of Justice Website at www.icj-cij.org.

Observations

28. In keeping with the request of the General Assembly in resolution ES-10/13, I have concluded that Israel is not in compliance with the Assembly’s demand that it “stop and reverse the construction of the wall in the Occupied Palestinian Territory.”

29. Israel has repeatedly stated that the Barrier is a temporary measure. However, the scope of construction and the amount of occupied West Bank land that is either being requisitioned for its route or that will end up between the Barrier and the Green Line are of serious concern and have implications for the future. In the midst of the road map process, when each party should be making good-faith confidence-building gestures, the Barrier’s construction in the West Bank cannot, in this regard, be seen as anything but a deeply counterproductive act.

30. I acknowledge and recognize Israel’s right and duty to protect its people against terrorist attacks. However, that duty should not be carried out in a way that is in contradiction to international law, that could damage the longer-term prospects for peace by making the creation of an independent, viable and contiguous Palestinian State more difficult, or that increases suffering among the Palestinian people.

31. After so many years of bloodshed, displacement and suffering, it should be clear to all of us, as well as to the parties, that only through a just, comprehensive and lasting peace settlement based on Security Council resolutions 242 (1967) and 338 (1973) can the security of both Palestinians and Israelis be assured. There is wide support in the international community for a two-State solution—Israel and Palestine living side by side in peace and security within secure and recognized borders, as called for by the Security Council in resolutions 1397 (2002) and 1515 (2003). That support must urgently be marshaled to assist the parties in achieving that end.

Summary Legal Position of the Government of Israel

1. Much of the information in this annex is derived from materials provided to the United Nations by the Government of Israel. Other information comes from publicly available sources.

2. Israel’s Parliament has not incorporated the Hague Regulations into domestic legislation; however, Israeli authorities have relied on article 23 (g) of those Regulations, which permits the seizure of property if demanded by the necessities of war.

3. Despite having ratified the Fourth Geneva Convention, Israel has not incorporated it into its domestic legislation. Nor does it agree that the Convention is applicable to the occupied Palestinian territory, citing the lack of recognition of the territory as sovereign prior to its annexation by Jordan and Egypt and, therefore, not a territory of a High Contracting Party as required by the Convention.

4. Israel denies that the International Covenant on Civil and Political Rights and...
the International Covenant on Economic, Social and Cultural Rights, both of which it has signed, are applicable to the occupied Palestinian territory. It asserts that humanitarian law is the protection granted in a conflict situation such as the one in the West Bank and Gaza Strip, whereas human rights treaties were intended for the protection of citizens from their own Government in times of peace.

5. Regarding the route, the Government of Israel states that neither the "Green Line" nor the armistice line were confirmed as international boundaries in Security Council resolutions 242 (1967) and 338 (1973), which call upon the parties to negotiate. The legal status of the occupied Palestinian territory remains disputed.

6. According to its statement made before the General Assembly on 20 October 2003, the Government of Israel believes the construction of the Barrier is consistent with Article 51 of the Charter of the United Nations, its inherent right to self-defense and Security Council resolutions 1368 (2001) and 1373 (2001). Israeli officials say the Barrier has contributed to a significant decline in the number of attacks inside Israel. According to the Ministry of Foreign Affairs, between 1 April 2002 and 31 December 2002, 17 suicide bombers crossed into Israel from the central West Bank and killed 89 Israelis. Between 1 January 2003 and 5 November 2003, after part of the Barrier had been completed, eight suicide bombers entered Israel from the central West Bank and killed 51 Israelis.

7. The Government of Israel has asserted that land requisitions issued to enable the building of the Barrier are proportionate given the number of deaths and injuries sustained by Israeli citizens and are carried out in accordance with both international and local law.

8. The Government of Israel argues: there is no change in ownership of the land; compensation is available for use of the land, crop yield or damage to the land; residents can petition the Supreme Court to halt or alter construction and there is no change in resident status. It says that the completion of the Barrier will in fact, allow the Israel Defense Forces (IDF) to reduce its presence in the West Bank and remove roadblocks and checkpoints, thereby improving overall humanitarian conditions in the West Bank. The Ministry of Foreign Affairs emphasized that the permit process for the Closed Area is still in its early stages and that Israel is "committed that residents and those that use the area will be able to live in and use the area with minimal interference."

10. As for access to the Closed Area by non-residents, the Ministry of Foreign Affairs has advised that permits, as opposed to ID Cards, will be issued based upon need. They explain that the activity of the individual will affect the nature of the permit; for example, a teacher would receive a permit for an entire school year and an olive farmer based on seasonal needs, and the health-care worker might have a permit for all occasions. While legal proof of ownership or residence would be best, it will not be necessary to receive official documentation proving ownership. Those wishing to visit friends and family would be permitted access subject to the security situation.

A2. BRITISH HOUSE OF COMMONS INTERNATIONAL DEVELOPMENT COMMITTEE, REPORT ON DEVELOPMENT ASSISTANCE AND THE OCCUPIED TERRITORIES, LONDON, 5 FEBRUARY 2004 (EXCERPTS).

The parliamentary committee appointed by the House of Commons to examine public expenditure, administration, and policy with regard to international development aid produced an eighty-page report, based on a six-month inquiry involving fact-finding visits to the region and the collection of written and oral evidence. The report was denounced by Israel as biased and unjust. The conclusions and recommendations are reproduced below. Paragraph references after each recommendation, referring back to the body of the text for full discussion, have been omitted for space. The full text of the report is available online at www.publications.parliament.uk.

Conclusion

159. We support Israel’s right to defend itself against terrorist acts. But Israel’s response to the security threat, through its policy of closures, has not only sent the Palestinian economy into reverse, it has stopped any semblance of normal life for Palestinians living in the OPTs [occupied Palestinian territories]. The sense of despair and anger among all sections of Palestinian society is palpable. Travelling around the West Bank and watching people’s experience at checkpoints convinced us that at least some of the security measures had little to do with effective security and more to do with a wish
simply to make life difficult. This impression was further borne out when we heard senior GOI [Government of Israel] sources refer to their policy of increasing the "misery index" of the population in order to put pressure on the PA [Palestinian Authority] to make concessions.

159. Checkpoints can be removed overnight, but the building of the security fence inside the West Bank carries with it all the implications of the de facto imposition of a new border. Those Palestinians whose homes are outside the fence will find that their lives are made so difficult that they have no alternative but to relocate behind the fence. We can understand the fear expressed by Palestinians and international agencies that the Israelis have another motive at work here—a wish to create the ultimate "fact on the ground" by reducing the West Bank to a series of Bantustans. If so, then the barrier/fence is a deliberate attempt to weaken the PA's negotiating position when final settlement negotiations take place.

160. In such a situation, discussion of a two state solution almost takes on the feeling of living in a parallel universe. But there is a growing awareness in Israel that the two state solution has to be grasped while it is still on offer. It is in Israel's interest to have a prosperous and stable Palestinian state as a neighbour and not another failed state which spawns terrorism. The PA is the sole representative of the Palestinian people and as such needs to be supported in its reforms and helped to become a credible partner, rather than being undermined by Israel.

161. The Palestinians have no means of redress concerning the conditions in which they are forced to live. Nor is there any coherent, high level monitoring of the extent to which the occupation is humane, or of the extent to which it is carried out in accordance with international law. Nor is there a system that makes sure pressure is put on Israel when these breaches are reported. This is why we call for a stronger role for UNSCO [UN Special Coordinator's Office] in ensuring that that the IDF honours its obligations under the Geneva Conventions and elsewhere.

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163. The Palestinians are one of the most heavily-aided populations in the world. And yet donor assistance is plainly unable to solve the problems in the OPT or improve living conditions. Easing the closure restrictions and eventually ending the occupation are the only way to do this. So we are faced with the question: what are the NGOs and international donors doing in the OPT? DFID's [Department for International Development] objectives in the OPT are long-term support to the peace process and laying the foundations for a future Palestinian state, whilst working to alleviate poverty in the short term. Development actors are managing to carry out development work. But the difficult operating environment has altered the shape of development assistance. There is a reluctance to provide physical infrastructure only to have it destroyed by the IDF—so human capacity building is favoured instead. DFID has translated its objectives into a development strategy through which the institutions of a Palestinian state are being developed and strengthened. The external support that donors have provided to the PA has prevented its collapse. PA corruption and mismanagement are being brought under control in a process bound up with donor support.

164. Donors face a dilemma: are they doing little more than support the Israeli occupation by providing assistance which it is the occupier's responsibility to provide? We do not believe that donors should withdraw. To do so could lead to an even greater humanitarian crisis and throw away the institutional development that has occurred since Oslo. What is needed is advocacy to increase humanitarian access. The ICRC [International Committee of the Red Cross] is pulling out because it feels it is prevented from doing its work by the Israeli military authorities. If an increased role in advocacy and mechanisms to apply the humanitarian provisions of the Geneva Conventions can create better access for these agencies, then they will be able to remain to carry out their work.

165. In our report we have stressed the need for donors, not only to be co-ordinated in their approach so as to avoid duplication, but to be harmonised in their approach as well. A more coherent development approach, led by the Palestinians themselves, is achievable. We believe that DFID, given its experience in the region, is well placed to create workable structures of donor harmonisation.

Recommendations

Introduction

1. Rates of malnutrition in Gaza and parts of the West Bank are as bad as anywhere one would find in sub-Saharan Africa. The Palestinian economy has all but collapsed. Unemployment rates are in the region of 60-70% and many of those who are employed...
are dependent upon NGOs or international relief organisations for employment.

2. There has to be a sense of realism about what development assistance can achieve. The World Bank told us that removing the “access controls” imposed by the Israelis would have increased real GDP by 21%, whereas a doubling of development assistance—without easing closure—would only reduce the number of people living in poverty by 7% by the end of 2004. The situation in the OPT, in other words, is not one which donor assistance can resolve.

3. We agree with the UK Government that the Geneva Conventions apply to the Israeli occupation. The 4th Geneva Convention should remain the standard by which the GOI should perform in the OPT. The UK Government has its own obligations to uphold the Convention and monitor breaches of the rules of the Convention as regards to the civilian population.

The Development Context: Closure, Settlements, and the Barrier

4. Settlement activity, with its associated road building, threatens Palestinian territorial contiguity in the West Bank and the viability of a future Palestinian State. Freezing settlement activity and removing outposts would boost Palestinian confidence in the peace process.

5. We can understand why Israel, fearful of its security, wants to build the barrier. But any such security fence should be constructed on Israeli, not Palestinian, land. The construction process and path which the barrier takes support Palestinian fears about the motivation which lies behind it. The barrier destroys the viability of a future Palestinian state. One of DFID’s key objectives is to help build the institutions of the Palestinian Authority in preparation for statehood—a statehood which the barrier jeopardises.

6. Food aid is only ever an emergency solution. But in the OPT farmers cannot readily fill the gaps in food production because of the extreme dislocation brought about by closure and, in particular, the impact that movement restrictions and land confiscation have had on agriculture.

7. Israeli control over water and restrictions on development of Palestinian infrastructure has, and continues to, severely affect the development of West Bank and Gaza. The wilful destruction of water infrastructure by the IDF and settlers is simply unacceptable. We recommend the work that DFID, other donors, NGOs and their partners are doing in enhancing Palestinian access to water, a basic human right. But we also think that there needs to be a revision of water access arrangements. This is an urgent need, which cannot be deferred to the final status negotiations. It is an area where the UK Government should be applying political pressure to move negotiations forward.

8. We accept that ambulances might be used to carry terrorists and their weapons and that there can be no automatic exemption for ambulances from the requirement to be searched. But equally, there is no reason why an ambulance carrying an urgent case cannot be given priority for any security search which may be needed. We discussed these matters with the Israeli authorities in Tel Aviv and whilst reassurance was offered, their description of smooth-running arrangements at checkpoints conflicted with what we ourselves had seen. We were told that checkpoints are now issued with lists of local people suffering from chronic illnesses so as to facilitate their speedy transfer to hospital when necessary. However, such a system would not work for emergency cases and might cause more problems for those whose names are not on the lists. Nor, of course, could this practice work with temporary or “flying” checkpoints.

9. The management of checkpoints is all too often handled by young, inexperienced IDF conscripts who may lack the training and experience to deal with large numbers of people passing through on their way to work or to study. We heard that waiting Palestinians often suffer harassment at the hands of both the IDF and local settler communities, making checkpoints a flashpoint for antagonism. A more sensitive and appropriate approach to checkpoint management could be learned from experience elsewhere, including British experience in Northern Ireland.

10. The import of pharmaceuticals should be prioritised and classified as “humanitarian” to facilitate speedy delivery.

11. In a society where half the population is under 18, the effect of closure on education is widely felt. The psychological impact on children, arising from school closure and exposure to violence, is damaging future generations of Palestinians and will only serve to perpetuate the cycle of violence and hatred.

12. Children’s education, be it Palestinian or Israeli, must be kept free of incitement. We commend the positive work that the PA
has carried out recently as well as the work of organisations such as Save the Children in working with the Palestinian Ministry of Education on curriculum development. In light of the allegations against the PA, we recommend that it acts to counter incitement allegations and demonstrate that it is upholding commitments made at Oslo as part of a wider programme of enhancing its public image across the world.

13. We strongly support the work of organisations such as the Parents' Circle in the education of the younger generation of Palestinians and Israelis. Support for this type of project is a way in which development can support the peace process.

14. Whatever immediate security benefits the barrier may appear to bring to the Israelis, the level of despair and anger felt by ordinary Palestinians at being denied the possibility of any semblance of an ordinary life is likely to further increase the supply of militants and suicide bombers.

The Palestinian Authority

15. We are aware of the criticisms of the PA. Nevertheless, the PA is the only representative organisation of the Palestinians and, as such, building its capacity and institutions and ensuring the success of its reform programme, in order to make it an effective administration, are the keys to laying the foundations of a future Palestinian state.

16. We are impressed with the reforms implemented by the Minister of Finance. But there is still need for further reform in the Palestinian Authority, particularly in relation to the accountability of the presidential accounts and in terms of the legal, executive and judicial reforms outlined in the 100 day reform plan. Continuing to drive through planned reforms is the best way for the PA to deal with its critics. The PA is an institution which is developing into what could be a credible foundation for a Palestinian state. It is in everyone's interest that every penny of international development aid to the PA, whether from DFID or charities, is fully and transparently accounted for. Some of the PA's critics would prefer to see donor funding stopped. But we believe this would do more harm than good. It would push more Palestinians below the poverty line and lead to total collapse of the PA. A collapse which would have a detrimental effect on the peace process. In the absence of the PA, people would be more likely to turn to extreme positions and measures and support terrorism.

17. It is vital for the credibility of the PA that it obtains a renewed popular mandate through elections as soon as it can, including the election of municipal government structures.

18. We believe that suicide bombing, as well as being morally abhorrent, has been a catastrophic tactic that has done great harm to the Palestinian cause, and that the targeting of innocent civilians is indefensible. The Palestinian Authority, we are told, also takes this view; its condemnation needs to be heard more widely.

19. We recommend that the donor community targets the Palestinian civilian police for "technical" assistance as part of building state institutions and the rule of law. Pressure should be put on Israel to allow this as part of the building of state institutions. The issue of security services should be dealt with as part of political and security negotiations.

The Palestinian Economy

20. We know of no other examples where this level of economic decline has taken place without the complete dissolution of the governmental apparatus, at least certainly not in a middle-income economy such as [the] West Bank and Gaza.

21. Removing the "access controls" imposed by the Israelis would increase the size of the economy by 21%, and reduce the rate of poverty by 15% whereas a doubling of development assistance would bring only a 7% reduction in the rate of poverty. This is not therefore a situation which donor assistance can solve. The lifting of closures would, in the World Bank's view, allow the economy to rebound quickly in income terms but not in capital terms. There would therefore be a role for donors to help replace assets, which had been lost.

22. Our visit to Awarta demonstrated clearly to us that the restrictions placed on the internal movement of goods within the OPT were not always justified by security considerations. We raised the issue with the Israeli Ministry of Foreign Affairs and with the Coordinator for Government Activities in the Territories (COGAT). Neither explained the logic of the system. It is hard to avoid the conclusion that there is a deliberate Israeli strategy of putting the lives of ordinary Palestinians under stress as part of a strategy to bringing the population to heel. The West Bank back-to-back system, operating as we saw it, is not providing increased security to Israel or to settlers living in OPT. It merely
serves to increase Palestinian poverty and suffering by strangling the local economy.

23. Movement restrictions have caused an unacceptable situation whereby an EU trade agreement is obstructed by a party (Israel) which itself benefits from preferential EU trade terms.

24. Trade agreements are usually based on the principle of reciprocity: that market access, freedom of movement, and tariff and duty regimes applied by one state or authority normally has to be applied even-handedly and in the same way by all participants in a regional trade agreement. Unfortunately, Israel’s restrictions on the movement of Palestinian goods, its destruction of Palestinian infrastructure and its total control of the OPTs’ borders are denying Palestinian exporters access to EU markets. We therefore urge the UK Government to propose to the EU Council of Trade Ministers that Israel’s preferential terms of trade with the EU be suspended until it lifts the movement restrictions which it has placed on Palestinian trade. We recognise that EU exports to Israel, which are greater in value than EU imports from Israel, might suffer retaliatory action, but we do not believe that the EU’s short-term economic self-interest with one trading partner should take precedence over a direct challenge to its trade policy in the region and its trade obligations to the Palestinian Authority.

Development Challenges

25. The UK Government should seek assurances that infrastructure will not be destroyed, not only for projects built by the UK and its partners, but for all projects vital to Palestinian communities.

26. The international community must put pressure on the Israeli Authorities to lift, or at least ease restrictions on the import of goods into the OPT to facilitate delivery of food-aid to the population of Gaza and the West Bank. Limiting imports into the OPT cannot be justified as a security measure. Provided Israel can be sure weapons are not being imported into the OPT, there can be no justification for further restrictions.

27. A future Palestinian state may be in a position to press for compensation or reparations, but this could only happen where destruction has been documented. DFID should investigate the possibility of its assistance to the PA being used for the systematic documentation of destruction.

28. Rather than concentrating solely on compensation, donors that invest in physical infrastructure should seek guarantees that it will not be damaged.

29. We would like to see this kind of cooperation encouraged during any negotiations, not least because MASHAV’s expertise could make a contribution towards building a future Palestinian state as a viable, stable neighbour for Israel.

The Donor/Development Response

30. Such money as the international community, including DFID, is spending on improving “good governance” and capacity building within the PA is money well spent.

31. In the current situation of economic collapse, wage payment maintained by budget support is an effective method of emergency poverty alleviation.

32. We are reassured by the EU’s investigations, but the EU and other donors must ensure that there is no opportunity given for justified suspicions to be raised. The use of development aid to the PA, whether from EU, or elsewhere, must be fully, openly and transparently accounted for.

33. DFID has provided substantial support to the PA in the form of technical assistance. DFID could usefully provide greater levels of technical assistance and in particular could support the Palestinian Authority in developing poverty alleviation policies and enhancing Palestinian involvement in development planning.

34. If DFID were to move towards providing budget support, it should investigate the possibilities of a unified monitoring system with other donors. Failure to do so could result in the PA being faced with managing a range of donor conditions and monitoring requirements. If development assistance is to be efficient and effective, aid must be delivered without putting an unbearable strain on an institution with weak capacity.

35. Donors operate in different ways but co-ordination is necessary to ensure that both development and emergency relief are delivered effectively. The OPT receives a large amount of donor aid. What this aid can achieve would be maximised if all donors can work towards an overall strategy for development. The best way of achieving this would be through a Palestinian-led process of development planning.

36. While we commend the work of the Task Force on Project Implementation, we are concerned that it is under strain and has difficulty undertaking such a huge and sensitive task.
37. In light of the continuing negotiations between Israeli Authorities and International agencies and the discrepancy between high level military policy and the on-the-ground reality, we consider that details of cases of obstruction of humanitarian workers should be routinely documented.

38. The USA should use the leverage it has with Israel to facilitate delivery of humanitarian relief.

39. There is clearly a need for a respected international interlocutor to negotiate with the IDF to try to ensure that the day to day conditions for occupied Palestinians are as humane as possible.

40. There is a multiplicity of UN Agencies and NGOs, all seeking to deliver a variety of humanitarian and other services to the Palestinian community, but none of these are in a position to negotiate successfully with the IDF or the GOI more humane treatment for occupied Palestinians, and indeed themselves in reality are subject to exactly the same restrictions of movement imposed upon Palestinians.

41. The fact is that Palestinians in Gaza and the West Bank have no state, neither de jure, nor de facto; no citizenship; no rights; no remedies, and no one from the international community taking the responsibility to seek to ensure that an occupied people in these circumstances are treated as humanely as possible.

42. UNSCO’s authority, role and resources need to be strengthened.

43. In addition to strengthening the role of UNSCO and the Special Co-ordinator, it is time for the Secretary-General of the United Nations—with the authority of the Security Council—to appoint a further Humanitarian Envoy or Special Representative to undertake the specific task of ensuring that the occupation is as humane as possible and that there is a coherent and co-ordinated international scrutiny of what is taking place in the OPT. Such an appointment will need to be accompanied by provision of the necessary money, materials and resources.

44. Unusually for us, during our visit to the West Bank, no one asked us for money! Neither the PA, nor the NGOs, nor the UN Agencies saw their problems as rooted in a shortage of funding. But they all asked for advocacy and political pressure to end the occupation.

45. All actors need to remind themselves of the need to avoid anti-Semitism and anti-Islamism, as well as stereotyping Arab or Jewish societies. International agencies that are engaged in dealing with the crisis and are witnesses to many of the problems Palestinians face could do much more to convey these facts, in an authoritative and non-polemical manner, to the media and the general public in the UK and Europe. An awareness programme of this kind, by neutral witnesses, and carried out by NGOs, donors, and the NSU, could provide a much-needed education of the public as to the everyday realities in the OPT.

46. We agree with the Government’s position and urge it to be more forceful in its advocacy on these issues. We see DFID as having an advocacy role to play within the UK Government. The Secretary of State assured us that co-ordination with both the Foreign Office and the Department of Trade and Industry was good. It is essential that the Government’s position is harmonised across departments and is consistent with all the parties’ obligations under international law and agreements.

47. We do not agree with the European Commission’s approach. We believe in principle where a sufficiently egregious case of human rights abuse has been established as to warrant economic sanctions, the EU should not be deterred from imposing them simply because the trade balance with the country concerned is in its favour. We urge the UK Government to take up this point with the European Commission and with its EU partners.

48. We welcome the change of policy on the part of the GOI. In this case economic pressure was successful. However, there remains a risk of goods being falsely labelled as produced in Israel rather than in the settlements. We trust that HM Customs will maintain a close watch for false origin labelling.

49. Few would argue for a resumption of Israeli, as opposed to PA, administration in the OPT. However it does seem that Israel’s policies and actions in the last ten years have acted as an obstacle to the development of the PA into a government that is able to deliver services to its people—as was intended in the 1993 Declaration of Principles.

50. In the absence of any international authority mandated to represent the interest of the Palestinians under occupation, and until such “observers” are in place, this presence of bilateral and multilateral donor agencies provides a modicum of international “monitoring,” if not protection.

51. To a degree we can understand the ICRC strategy. We do not think there should be a withdrawal of aid to the OPT but are
concerned that the current situation cannot continue indefinitely.

52. We think that DFID can have an influential role in increasing donor harmonisation through its support for Palestinian-led development. DFID’s work in building the PA’s capacity has been effective and meets its objectives of supporting the peace process and the development of a viable future Palestinian state. It could increase support to the PA in the area of planning capacity and effective communication with donors.

53. DFID is developing a country strategy for the OPT. We believe its strategy should seek to alleviate poverty not only through service provision or development, but also through the working to the broader objective of increasing aid effectiveness through donor harmonisation and through a development conversation with the GOI about the relative responsibilities of Israel as an occupier, and the responsibilities of donors in relieving suffering. DFID should also be considering its involvement with advocacy as part of long-term poverty reduction. In particular it should give greater attention to pressuring the GOI for freedom of movement for humanitarian goods and personnel.

ARAB

B. FATAH CADRES, LETTER OF RESIGNATION FROM THE MOVEMENT ADDRESSED TO PA PRESIDENT YASIR ARAFAT, N.P., 7 FEBRUARY 2004 (EXCERPTS).

On 7 February, the day before the Fatah Revolutionary Council was to meet to discuss convening its sixth general congress (the first in fifteen years), almost 400 Fatah cadres signed a letter addressed to Fatah chairman and PA president Yasir Arafat announcing their collective resignation from the movement in protest over the leadership's failure to introduce meaningful reforms and develop a coherent program for combating the Israeli occupation. The signatories of the letter were apparently middle rank members; according to several sources, they were members of the “young guard” who had long pressed for change. While the letter was downplayed by claims that some of the signatures were of dead people, many Fatah members, including senior officials, were said to agree with its content, objecting mainly to the timing and public presentation. As a result of the letter, the meeting was postponed. (It was finally held on 27 February.)

Following excerpt, published on 9 February by the London-based pan-Arab daily al-Quds al-Arabi, was translated in Mideast Mirror the same day.

We the undersigned Fatah members hereby offer our resignations from the movement; we renounce all positions and responsibilities within the movement.

We, middle-ranking Fatah cadres of all grades and from all over Palestine, have decided to put an end to our longstanding grievances. This step was taken after much soul-searching and many months of debate.

We have decided to resign from Fatah in protest at the tragic state the movement has descended to. Calls for reform to arrest this state of decline have not been heeded.

We joined Fatah because it was a resistance movement leading the struggle for liberty and independence; but in its current state, and with its current structure, Fatah is only leading us toward the abyss of tribalism, sectarianism, and internal conflict.

We realize completely that this letter of resignation will harm us as individuals and affect our livelihoods, but we are fed up with the current situation. We know that many of us will be subjected to pressure and blackmail in order to force us to reconsider our position; we know that some of us will be vilified. But we are determined to leave the movement permanently so long as it is in this disgraceful state.

Until this moment, Fatah has not articulated a clear and unambiguous position regarding the Israeli occupation. We appreciate that it was thanks to the activities of the al-Aqsa Brigades that Fatah managed to save face over the last three years. But Brigade fighters have been largely ignored by the Fatah leadership and are scarcely mentioned except when Fatah is pressured to accept a new cease-fire agreement.

Fatah is beginning to disintegrate from within because of internal conflicts. Fatah is not a unified monolith; there is an urban Fatah, a rural Fatah, a different Fatah in the camps, and an official Fatah. There is one Fatah inside Palestine, and another one in exile; there is the Fatah of al-Aqsa Brigades and the Fatah of the Return Brigades; some Fatah factions support the Geneva Declaration, while others oppose it.

These schisms and splits have been growing more serious since Hani al-Hassan took over responsibility for organization and mobilization. Since his appointment, al-Hassan has spent most of his time vilifying his
comrades in the Central Committee and other bodies. There is no doubt in our minds that Hani al-Hassan is leading Fatah to a tragic end.

Fatah has never articulated a position vis-à-vis the PNA [Palestinian National Authority] or its performance; it has never called for calling those officials who undermined the interests of the Palestinian people to account. In fact, those individuals are so powerful (thanks to the support they enjoy from senior Fatah officials) that they are virtually untouchable. Take the Kurd [Mohammad Rashid, Arafat’s financial adviser], who still controls PNA finances, or Harbi [who used to head the Palestinian Oil Authority], who has failed to return the millions he stole. Corrupt judges are still meting out “justice,” the attorney general who is a known arms dealer is still at his job, and a failed officer still heads our security organizations.

In fact, some Fatah organizations still steal cars to maintain their activities. Thieves, brigands, and incompetents take precedence over honest elements in the Fatah hierarchy.

ISRAEL

C1. PRIME MINISTER ARIEL SHARON, SPEECH OUTLINING A UNILATERAL “DISENGAGEMENT PLAN,” HERZLIYA, 18 DECEMBER 2003 (EXCERPTS).

Since its inception in December 2000, the Herzliya Conference has become an important annual event bringing together the country’s top leaders in government, the military, business, the media, and academia as well as Jewish invitees from abroad, particularly the United States, to reflect on Israel’s long-term security. In his address to the conference, the prime minister, while expressing support for the U.S. road map, announced Israel’s intention to initiate a “unilateral security step of disengagement from the Palestinians” if they fail to fulfill their security obligations. He also stated his intention to implement an earlier commitment to dismantle “unauthorized [settlement] outposts.” The closed-door conference is sponsored by eight institutions, including the Prime Minister’s Office, the Defense and Foreign Affairs Ministries, the American Jewish Committee, the Jewish Agency, and the World Zionist Organization. The White House spokesman sharply criticized the “unilateral steps” called for in Sharon’s speech, but within hours a “senior White House official” welcomed the speech, and the following day the spokesman recanted. The full text is available online at www.israelpr.com.

We are all entrusted with the duty of shaping the face of the Jewish and democratic State of Israel—a state where there is an equal distribution of the burden, as well as the acceptance of rights and shouldeering of duties by all sectors, through different forms of national service. A state where there is a good and efficient education system which educates a young generation imbued with values and national pride, which is capable of confronting the challenges of the modern world. A country whose economy is adapted to the advanced global market of the 21st century, where the product per capita crosses the $20,000 line and is equal to that of most developed European countries. An immigrant-absorbing state which constitutes a national and spiritual center for all Jews of the world and is a source of attraction for thousands of immigrants each year. Aliyah is the central goal of the State of Israel.

This is the country we wish to shape. This is the country where our children will want to live.

I know that there is sometimes a tendency to narrow all of Israel’s problems down to the political sphere, believing that once a solution is found to Israel’s problems with its neighbors, particularly the Palestinians, the other issues on the agenda will miraculously resolve themselves. I do not believe so. We are facing additional challenges which must be addressed—the economy, educating the young generation, immigrant absorption, enhancement of social cohesion and the improvement of relations between Arabs and Jews in Israel.

Like all Israeli citizens, I yearn for peace. I attach supreme importance to taking all steps which will enable progress toward resolution of the conflict with the Palestinians. However, in light of the other challenges we are faced with, if the Palestinians do not make a similar effort toward a solution of the conflict—I do not intend to wait for them indefinitely.

Seven months ago, my Government approved the “road map” to peace, based on President George Bush’s June 2002 speech. This is a balanced program for phased progress toward peace, to which both Israel and the Palestinians committed themselves. A full and genuine implementation of
the program is the best way to achieve true peace. The road map is the only political plan accepted by Israel, the Palestinians, the Americans and a majority of the international community. We are willing to proceed toward its implementation: two states—Israel and a Palestinian state—living side by side in tranquility, security and peace.

The road map is a clear and reasonable plan, and it is therefore possible and imperative to implement it. The concept behind this plan is that only security will lead to peace. And in that sequence. Without the achievement of full security—within the framework of which terror organizations will be dismantled—it will not be possible to achieve genuine peace, a peace for generations. This is the essence of the road map. The opposite perception, according to which the very signing of a peace agreement will produce security out of thin air, has already been tried in the past and failed miserably. And such will be the fate of any other plan which promotes this concept. These plans deceive the public and create false hope. There will be no peace before the eradication of terror.

The government under my leadership will not compromise on the realization of all phases of the road map. It is incumbent upon the Palestinians to uproot the terrorist groups and to create a law-abiding society which fights against violence and incitement. Peace and terror cannot coexist. The world is currently united in its unequivocal demand from the Palestinians to act toward the cessation of terrorism and the implementation of reforms. Only a transformation of the Palestinian Authority into a different authority will enable progress in the political process. The Palestinians must fulfill their obligations. A full and complete implementation will—at the end of the process—lead to peace and tranquility.

We began the implementation of the road map at Aqaba, but the terrorist organizations joined with Yasir Arafat and sabotaged the process with a series of the most brutal terror attacks we have ever known.

Concurrent with the demand from the Palestinians to eliminate the terror organizations, Israel is taking—and will continue to take—steps to significantly improve the living conditions of the Palestinian population: Israel will remove closures and curfews and reduce the number of roadblocks; we will improve freedom of movement for the Palestinian population, including the passage of people and goods; we will increase the hours of operation at international border crossings; we will enable a large number of Palestinian merchants to conduct regular and normal economic and trade relations with their Israeli counterparts, etc. All these measures are aimed at enabling better and freer movement for the Palestinian population not involved in terror.

In addition, subject to security coordination, we will transfer Palestinian towns to Palestinian security responsibility. Israel will make every effort to assist the Palestinians and to advance the process.

Israel will fulfill the commitments taken upon itself. I have committed to the President of the United States that Israel will dismantle unauthorized outposts. It is my intention to implement this commitment. The State of Israel is governed by law, and the issue of the outposts is no exception. I understand the sensitivity; we will try to do this in the least painful way possible, but the unauthorized outposts will be dismantled. Period.

Israel will meet all its obligations with regard to construction in the settlements. There will be no construction beyond the existing construction line, no expropriation of land for construction, no special economic incentives and no construction of new settlements.

I take this opportunity to appeal to the Palestinians and repeat, as I said at Aqaba: it is not in our interest to govern you. We would like you to govern yourselves in your own country. A democratic Palestinian state with territorial contiguity in Judea and Samaria and economic viability, which would conduct normal relations of tranquility, security and peace with Israel. Abandon the path of terror and let us together stop the bloodshed. Let us move forward together toward peace.

We wish to speedily advance implementation of the road map towards quiet and a genuine peace. We hope that the Palestinian Authority will carry out its part. However, if in a few months the Palestinians still continue to disregard their part in implementing the road map—then Israel will initiate the unilateral security step of disengagement from the Palestinians.

The purpose of the “Disengagement Plan” is to reduce terror as much as possible, and grant Israeli citizens the maximum level of security. The process of disengagement will lead to an improvement in the quality of life, and will help strengthen the Israeli economy. The unilateral steps which
Israel will take in the framework of the "Disengagement Plan" will be fully coordinated with the United States. We must not harm our strategic coordination with the United States. These steps will increase security for the residents of Israel and relieve the pressure on the IDF and security forces in fulfilling the difficult tasks they are faced with. The "Disengagement Plan" is meant to grant maximum security and minimize friction between Israelis and Palestinians.

We are interested in conducting direct negotiations, but do not intend to hold Israeli society hostage in the hands of the Palestinians. I have already said—we will not wait for them indefinitely.

The "Disengagement Plan" will include the redeployment of IDF forces along new security lines and a change in the deployment of settlements, which will reduce as much as possible the number of Israelis located in the heart of the Palestinian population. We will draw provisional security lines and the IDF will be deployed along them. Security will be provided by IDF deployment, the security fence and other physical obstacles. The "Disengagement Plan" will reduce friction between us and the Palestinians. This reduction of friction will require the extremely difficult step of changing the deployment of some of the settlements. I would like to repeat what I have said in the past: In the framework of a future agreement, Israel will not remain in all the places where it is today. The relocation of settlements will be made, first and foremost, in order to draw the most efficient security line possible, thereby creating this disengagement between Israel and the Palestinians. This security line will not constitute the permanent border of the State of Israel, however, as long as implementation of the road map is not resumed, the IDF will be deployed along that line. Settlements which will be relocated are those which will not be included in the territory of the State of Israel in the framework of any possible future permanent agreement. At the same time, in the framework of the "Disengagement Plan," Israel will strengthen its control over those same areas in the Land of Israel which will constitute an inseparable part of the State of Israel in any future agreement. I know you would like to hear names, but we should leave something for later.

Israel will greatly accelerate the construction of the security fence. Today we can already see it taking shape. The rapid completion of the security fence will enable the IDF to remove roadblocks and ease the daily lives of the Palestinian population not involved in terror.

In order to enable the Palestinians to develop their economic and trade sectors, and to ensure that they will not be exclusively dependent on Israel, we will consider, in the framework of the "Disengagement Plan," enabling—in coordination with Jordan and Egypt—the freer passage of people and goods through international border crossings, while taking the necessary security precautions.

I would like to emphasize: the "Disengagement Plan" is a security measure and not a political one. The steps which will be taken will not change the political reality between Israel and the Palestinians, and will not prevent the possibility of returning to the implementation of the road map and reaching an agreed settlement.

The "Disengagement Plan" does not prevent the implementation of the road map. Rather, it is a step Israel will take in the absence of any other option, in order to improve its security. The "Disengagement Plan" will be realized only in the event that the Palestinians continue to drag their feet and postpone implementation of the road map.

Obviously, through the "Disengagement Plan" the Palestinians will receive much less than they would have received through direct negotiations as set out in the road map.

According to circumstances, it is possible that parts of the "Disengagement Plan" that are supposed to provide maximum security to the citizens of Israel will be undertaken while also attempting to implement the road map.

C2. REVISIONIST HISTORIAN BENNY MORRIS, INTERVIEW ON ZIONISM, THE 1948 EXPULSIONS, AND THE CLASH OF CIVILIZATIONS, JERUSALEM, N.D.

The long interview, conducted by the journalist Ari Shavit, appeared under the title "Survival of the Fittest" in the 9 January 2004 edition of Ha'Aretz Magazine. In his introduction to the interview, Shavit recounts how Morris was mistakenly seen in some Israeli circles as a "post-Zionist" and an "Israel hater," because his research largely supported Palestinian contentions about the 1948 war; this perception began to change as a result of his political commentaries in the wake of the second intifada. The interview generated
considerable controversy, especially for its assertion that Ben-Gurion had made a “serious historical mistake in 1948” by getting “cold feet” and failing to “complete the transfer,” and because Morris appeared to leave the door open for the expulsion, under certain conditions, of today’s Palestinians. Morris, who had belonged to the left-wing Hashomer Hatzair youth movement and who refused to do military service in the occupied territories, is now a professor of history at Ben-Gurion University in Be'er Sheva. His latest book, The Birth of the Palestinian Refugee Problem Revisited, an extensively revised edition of the 1987 book that made his reputation, was published by Cambridge University Press in February 2004.

Benny Morris, in the month ahead the new version of your book on the birth of the Palestinian refugee problem is due to be published. Who will be less pleased with the book—the Israelis or the Palestinians? The revised book is a double-edged sword. It is based on many documents that were not available to me when I wrote the original book, most of them from the Israel Defense Forces Archives. What the new material shows is that there were far more Israeli acts of massacre than I had previously thought. To my surprise, there were also many cases of rape. In the months of April–May 1948, units of the Haganah [the pre-state defense force that was the precursor of the IDF] were given operational orders that stated explicitly that they were to uproot the villagers, expel them and destroy the villages themselves.

At the same time, it turns out that there was a series of orders issued by the Arab Higher Committee and by the Palestinian intermediate levels to remove children, women and the elderly from the villages. So that on the one hand, the book reinforces the accusation against the Zionist side, but on the other hand it also proves that many of those who left the villages did so with the encouragement of the Palestinian leadership itself.

According to your new findings, how many cases of Israeli rape were there in 1948? About a dozen. In Acre four soldiers raped a girl and murdered her and her father. In Jaffa, soldiers of the Kirya Brigade raped one girl and tried to rape several more. At Hunin, which is in the Galilee, two girls were raped and then murdered. There were one or two cases of rape at Tantura, south of Haifa. There was one case of rape at Qula, in the center of the country. At the village of Abu Shusha, near Kibbutz Gezer [in the Ramla area] there were four female prisoners, one of whom was raped a number of times. And there were other cases. Usually more than one soldier was involved. Usually there were one or two Palestinian girls. In a large proportion of the cases the event ended with murder. Because neither the victims nor the rapists liked to report these events, we have to assume that the dozen cases of rape that were reported, which I found, are not the whole story. They are just the tip of the iceberg.

According to your new findings, how many acts of Israeli massacre were perpetrated in 1948? Twenty-four. In some cases four or five people were executed, in others the numbers were 70, 80, 100. There was also a great deal of arbitrary killing. Two old men are spotted walking in a field—they are shot. A woman is found in an abandoned village—she is shot. There are cases such as the village of Dawayima [in the Hebron region], in which a column entered the village with all guns blazing and killed anything that moved. The worst cases were Saliha (70–80 killed), Dayr Yasin (100–110), Lod (250), Dawayima (hundreds) and perhaps Abu Shusha (70). There is no unequivocal proof of a large-scale massacre at Tantura, but war crimes were perpetrated there. At Jaffa there was a massacre about which nothing had been known until now. The same at Arab al-Muwassi, in the north. About half of the acts of massacre were part of Operation Hiram [in the north, in October 1948]: at Safsaf, Saliha, Jish, Eliaboun, Arab al-Muwasi, Dayr al-Asad, Majdal Krum, Sasa. In Operation Hiram there was an unusually high concentration of executions of people against a wall or next to a well in an orderly fashion. That can’t be chance. It’s a pattern. Apparently, various officers who took part in the operation understood that the expulsion order they received permitted them to do these deeds in order to encourage the population to take to the roads. The fact is that no one was punished for these acts of murder. Ben-Gurion silenced the matter. He covered up for the officers who did the massacres.

What you are telling me here, as though by the way, is that in Operation Hiram...
there was a comprehensive and explicit expulsion order. Is that right?

Yes. One of the revelations in the book is that on 31 October 1948, the commander of the Northern Front, Moshe Carmel, issued an order in writing to his units to expedite the removal of the Arab population. Carmel took this action immediately after a visit by Ben-Gurion to the Northern Command in Nazareth. There is no doubt in my mind that this order originated with Ben-Gurion. Just as the expulsion order for the city of Lod, which was signed by Yitzhak Rabin, was issued immediately after Ben-Gurion visited the headquarters of Operation Dani [July 1948].

Are you saying that Ben-Gurion was personally responsible for a deliberate and systematic policy of mass expulsion?

From April 1948, Ben-Gurion is projecting a message of transfer. There is no explicit order of his in writing, there is no orderly comprehensive policy, but there is an atmosphere of [population] transfer. The transfer idea is in the air. The entire leadership understands that this is the idea. The officer corps understands what is required of them. Under Ben-Gurion, a consensus of transfer is created.

Ben-Gurion was a “transferist”?

Of course. Ben-Gurion was a transferist. He understood that there could be no Jewish state with a large and hostile Arab minority in its midst. There would be no such state. It would not be able to exist.

I don’t hear you condemning him.

Ben-Gurion was right. If he had not done what he did, a state would not have come into being. That has to be clear. It is impossible to evade it. Without the uprooting of the Palestinians, a Jewish state would not have arisen here.

Benny Morris, for decades you have been researching the dark side of Zionism. You are an expert on the atrocities of 1948. In the end, do you in effect justify all this? Are you an advocate of the transfer of 1948?

There is no justification for acts of rape. There is no justification for acts of massacre. Those are war crimes. But in certain conditions, expulsion is not a war crime. I don’t think that the expulsions of 1948 were war crimes. You can’t make an omelet without breaking eggs. You have to dirty your hands.

We are talking about the killing of thousands of people, the destruction of an entire society.

A society that aims to kill you forces you to destroy it. When the choice is between destroying or being destroyed, it’s better to destroy.

There is something chilling about the quiet way in which you say that.

If you expected me to burst into tears, I’m sorry to disappoint you. I will not do that.

So when the commanders of Operation Dani are standing there and observing the long and terrible column of the 50,000 people expelled from Lod walking eastward, you stand there with them? You justify them?

I definitely understand them. I understand their motives. I don’t think they felt any pangs of conscience, and in their place I wouldn’t have felt pangs of conscience. Without that act, they would not have won the war and the state would not have come into being.

You do not condemn them morally?

No.

They perpetrated ethnic cleansing.

There are circumstances in history that justify ethnic cleansing. I know that this term is completely negative in the discourse of the 21st century, but when the choice is between ethnic cleansing and genocide—the annihilation of your people—I prefer ethnic cleansing.

And that was the situation in 1948?

That was the situation. That is what Zionism faced. A Jewish state would not have come into being without the uprooting of 700,000 Palestinians. Therefore it was necessary to uproot them. There was no choice but to expel that population. It was necessary to cleanse the hinterland and cleanse the border areas and cleanse the main roads. It was necessary to cleanse the villages from which our convoys and our settlements were fired on.

The term “to cleanse” is terrible.

I know it doesn’t sound nice but that’s the term they used at the time. I adopted it from all the 1948 documents in which I am immersed.
What you are saying is hard to listen to and hard to digest. You sound hard-hearted.

I feel sympathy for the Palestinian people, which truly underwent a hard tragedy. I feel sympathy for the refugees themselves. But if the desire to establish a Jewish state here is legitimate, there was no other choice. It was impossible to leave a large fifth column in the country. From the moment the Yishuv [pre-1948 Jewish community in Palestine] was attacked by the Palestinians and afterward by the Arab states, there was no choice but to expel the Palestinian population. To uproot it in the course of war.

Remember another thing: the Arab people gained a large slice of the planet. Not thanks to its skills or its great virtues, but because it conquered and murdered and forced those it conquered to convert during many generations. But in the end the Arabs have 22 states. The Jewish people did not have even one state. There was no reason in the world why it should not have one state. Therefore, from my point of view, the need to establish this state in this place overcame the injustice that was done to the Palestinians by uprooting them.

And morally speaking, you have no problem with that deed?

That is correct. Even the great American democracy could not have been created without the annihilation of the Indians. There are cases in which the overall, final good justifies harsh and cruel acts that are committed in the course of history.

And in our case it effectively justifies a population transfer.

That’s what emerges.

And you take that in stride? War crimes? Massacres? The burning fields and the devastated villages of the Nakba?

You have to put things in proportion. These are small war crimes. All told, if we take all the massacres and all the executions of 1948, we come to about 800 who were killed. In comparison to the massacres that were perpetrated in Bosnia, that’s peanuts. In comparison to the massacres the Russians perpetrated against the Germans at Stalingrad, that’s chicken feed. When you take into account that there was a bloody civil war here and that we lost an entire 1 percent of the population, you find that we behaved very well.

You went through an interesting process. You went to research Ben-Gurion and the Zionist establishment critically, but in the end you actually identify with them. You are as tough in your words as they were in their deeds.

You may be right. Because I investigated the conflict in depth, I was forced to cope with the in-depth questions that those people coped with. I understood the problematic character of the situation they faced and maybe I adopted part of their universe of concepts. But I do not identify with Ben-Gurion. I think he made a serious historical mistake in 1948. Even though he understood the demographic issue and the need to establish a Jewish state without a large Arab minority, he got cold feet during the war. In the end, he faltered.

I’m not sure I understand. Are you saying that Ben-Gurion erred in expelling too few Arabs?

If he was already engaged in expulsion, maybe he should have done a complete job. I know that this stuns the Arabs and the liberals and the politically correct types. But my feeling is that this place would be quieter and know less suffering if the matter had been resolved once and for all. If Ben-Gurion had carried out a large expulsion and cleansed the whole country—the whole Land of Israel, as far as the Jordan River. It may yet turn out that this was his fatal mistake. If he had carried out a full expulsion—rather than a partial one—he would have stabilized the State of Israel for generations.

I find it hard to believe what I am hearing.

If the end of the story turns out to be a gloomy one for the Jews, it will be because Ben-Gurion did not complete the transfer in 1948. Because he left a large and volatile demographic reserve in the West Bank and Gaza and within Israel itself.

In his place, would you have expelled them all? All the Arabs in the country?

But I am not a statesman. I do not put myself in his place. But as an historian, I assert that a mistake was made here. Yes. The noncompletion of the transfer was a mistake.

And today? Do you advocate a transfer today?

If you are asking me whether I support the transfer and expulsion of the Arabs from
the West Bank, Gaza and perhaps even from Galilee and the Triangle. I say not at this moment. I am not willing to be a partner to that act. In the present circumstances it is neither moral nor realistic. The world would not allow it, the Arab world would not allow it, it would destroy the Jewish society from within. But I am ready to tell you that in other circumstances, apocalyptic ones, which are liable to be realized in five or ten years, I can see expulsions. If we find ourselves with atomic weapons around us, or if there is a general Arab attack on us and a situation of warfare on the front with Arabs in the rear shooting at convoys on their way to the front, acts of expulsion will be entirely reasonable. They may even be essential.

Including the expulsion of Israeli Arabs?

The Israeli Arabs are a time bomb. Their slide into complete Palestinization has made them an emissary of the enemy that is among us. They are a potential fifth column. In both demographic and security terms they are liable to undermine the state. So that if Israel again finds itself in a situation of existential threat, as in 1948, it may be forced to act as it did then. If we are attacked by Egypt (after an Islamist revolution in Cairo) and by Syria, chemical and biological missiles slam into our cities, and at the same time Israeli Palestinians attack us from behind, I can see an expulsion situation. It could happen. If the threat to Israel is existential, expulsion will be justified.

Besides being tough, you are also very gloomy. You weren’t always like that, were you?

My turning point began after 2000. I wasn’t a great optimist even before that. True, I always voted Labor or Meretz or Sheli [a dovish party of the late 1970s], and in 1988 I refused to serve in the territories and was jailed for it, but I always doubted the intentions of the Palestinians. The events of Camp David and what followed in their wake turned the doubt into certainty. When the Palestinians rejected the proposal of [prime minister Ehud] Barak in July 2000 and the Clinton proposal in December 2000, I understood that they are unwilling to accept the two-state solution. They want it all. Lod and Acre and Jaffa.

If that’s so, then the whole Oslo process was mistaken and there is a basic flaw in the entire worldview of the Israeli peace movement. Oslo had to be tried. But today it has to be clear that from the Palestinian point of view, Oslo was a deception. [Palestinian leader Yasir] Arafat did not change for the worse, Arafat simply defrauded us. He was never sincere in his readiness for compromise and conciliation.

Do you really believe Arafat wants to throw us into the sea?

He wants to send us back to Europe, to the sea we came from. He truly sees us as a Crusader state and he thinks about the Crusader precedent and wishes us a Crusader end. I’m certain that Israeli intelligence has unequivocal information proving that in internal conversations Arafat talks seriously about the phased plan [which would eliminate Israel in stages]. But the problem is not just Arafat. The entire Palestinian national elite is prone to see us as Crusaders and is driven by the phased plan. That’s why the Palestinians are not honestly ready to forgo the right of return. They are preserving it as an instrument with which they will destroy the Jewish state when the time comes. They can’t tolerate the existence of a Jewish state—not in 80 percent of the country and not in 30 percent. From their point of view, the Palestinian state must cover the whole Land of Israel.

If so, the two-state solution is not viable; even if a peace treaty is signed, it will soon collapse.

Ideologically, I support the two-state solution. It’s the only alternative to the expulsion of the Jews or the expulsion of the Palestinians or total destruction. But in practice, in this generation, a settlement of that kind will not hold water. At least 30 to 40 percent of the Palestinian public and at least 30 to 40 percent of the heart of every Palestinian will not accept it. After a short break, terrorism will erupt again and the war will resume.

Your prognosis doesn’t leave much room for hope, does it?

It’s hard for me, too. There is not going to be peace in the present generation. There will not be a solution. We are doomed to live by the sword. I’m already fairly old, but for my children that is especially bleak. I don’t know if they will want to go on living in a place where there is no hope. Even if Israel is not destroyed, we won’t see a good, normal life here in the decades ahead.
Aren’t your harsh words an overreaction to three hard years of terrorism?
The bombing of the buses and restaurants really shook me. They made me understand the depth of the hatred for us. They made me understand that the Palestinian, Arab and Muslim hostility toward Jewish existence here is taking us to the brink of destruction. I don’t see the suicide bombings as isolated acts. They express the deep will of the Palestinian people. That is what the majority of the Palestinians want. They want what happened to the bus to happen to all of us.

Yet we, too, bear responsibility for the violence and the hatred: the occupation, the roadblocks, the closures, maybe even the Nakba itself.

You don’t have to tell me that. I have researched Palestinian history. I understand the reasons for the hatred very well. The Palestinians are retaliating now not only for yesterday’s closure but for the Nakba as well. But that is not a sufficient explanation. The peoples of Africa were oppressed by the European powers no less than the Palestinians were oppressed by us, but nevertheless I don’t see African terrorism in London, Paris or Brussels. The Germans killed far more of us than we killed the Palestinians, but we aren’t blowing up buses in Munich and Nuremberg. So there is something else here, something deeper, that has to do with Islam and Arab culture.

Are you trying to argue that Palestinian terrorism derives from some sort of deep cultural problem?

There is a deep problem in Islam. It’s a world whose values are different. A world in which human life doesn’t have the same value as it does in the West, in which freedom, democracy, openness and creativity are alien. A world that makes those who are not part of the camp of Islam fair game. Revenge is also important here. Revenge plays a central part in the Arab tribal culture. Therefore, the people we are fighting and the society that sends them have no moral inhibitions. If it obtains chemical or biological or atomic weapons, it will use them. If it is able, it will also commit genocide.

I want to insist on my point: A large part of the responsibility for the hatred of the Palestinians rests with us. After all, you yourself showed us that the Palestinians experienced a historical catastrophe.

True. But when one has to deal with a serial killer, it’s not so important to discover why he became a serial killer. What’s important is to imprison the murderer or to execute him.

Explain the image: Who is the serial killer in the analogy?

The barbarians who want to take our lives. The people the Palestinian society sends to carry out the terrorist attacks, and in some way the Palestinian society itself as well. At the moment, that society is in the state of being a serial killer. It is a very sick society. It should be treated the way we treat individuals who are serial killers.

What does that mean? What should we do tomorrow morning?

We have to try to heal the Palestinians. Maybe over the years the establishment of a Palestinian state will help in the healing process. But in the meantime, until the medicine is found, they have to be contained so that they will not succeed in murdering us.

To fence them in? To place them under closure?

Something like a cage has to be built for them. I know that sounds terrible. It is really cruel. But there is no choice. There is a wild animal there that has to be locked up in one way or another.

Benny Morris, have you joined the right wing?

No, no. I still think of myself as left-wing. I still support in principle two states for two peoples.

But you don’t believe that this solution will last. You don’t believe in peace.

In my opinion, we will not have peace, no.

Then what is your solution?

In this generation there is apparently no solution. To be vigilant, to defend the country as far as is possible.

The iron wall approach?

Yes. An iron wall is a good image. An iron wall is the most reasonable policy for the coming generation. My colleague Avi Shlaim described this well: What Jabotinsky proposed is what Ben-Gurion adopted. In the 1950s, there was a dispute between Ben-Gurion and Moshe Sharet. Ben-Gurion
argued that the Arabs understand only force and that ultimate force is the one thing that will persuade them to accept our presence here. He was right. That's not to say that we don't need diplomacy. Both toward the West and for our own conscience, it's important that we strive for a political solution. But in the end, what will decide their readiness to accept us will be force alone. Only the recognition that they are not capable of defeating us.

For a left-winger, you sound very much like a right-winger, wouldn't you say?

I'm trying to be realistic. I know it doesn't always sound politically correct, but I think that political correctness poisons history in any case. It impedes our ability to see the truth. And I also identify with Albert Camus. He was considered a left-winger and a person of high morals, but when he referred to the Algerian problem he placed his mother ahead of morality. Preserving my people is more important than universal moral concepts.

Are you a neoconservative? Do you read the current historical reality in the terms of Samuel Huntington?

I think there is a clash between civilizations here [as Huntington argues]. I think the West today resembles the Roman Empire of the fourth, fifth and sixth centuries: The barbarians are attacking it and they may also destroy it.

The Muslims are barbarians, then?

I think the values I mentioned earlier are values of barbarians— the attitude toward democracy, freedom, openness; the attitude toward human life. In that sense they are barbarians. The Arab world as it is today is barbarian.

And in your view these new barbarians are truly threatening the Rome of our time?

Yes. The West is stronger but it's not clear whether it knows how to repulse this wave of hatred. The phenomenon of the mass Muslim penetration into the West and their settlement there is creating a dangerous internal threat. A similar process took place in Rome. They let the barbarians in and they toppled the empire from within.

Is it really all that dramatic? Is the West really in danger?

Yes. I think that the war between the civilizations is the main characteristic of the 21st century. I think President Bush is wrong when he denies the very existence of that war. It's not only a matter of bin Laden. This is a struggle against a whole world that espouses different values. And we are on the front line. Exactly like the Crusaders, we are the vulnerable branch of Europe in this place.

The situation as you describe it is extremely harsh. You are not entirely convinced that we can survive here, are you?

The possibility of annihilation exists.

Would you describe yourself as an apocalyptic person?

The whole Zionist project is apocalyptic. It exists within hostile surroundings and in a certain sense its existence is unreasonable. It wasn't reasonable for it to succeed in 1881 and it wasn't reasonable for it to succeed in 1948 and it's not reasonable that it will succeed now. Nevertheless, it has come this far. In a certain way it is miraculous. I live the events of 1948, and 1948 projects itself on what could happen here. Yes, I think of Armageddon. It's possible. Within the next 20 years there could be an atomic war here.

If Zionism is so dangerous for the Jews and if Zionism makes the Arabs so wretched, maybe it's a mistake?

No, Zionism was not a mistake. The desire to establish a Jewish state here was a legitimate one, a positive one. But given the character of Islam and given the character of the Arab nation, it was a mistake to think that it would be possible to establish a tranquil state here that lives in harmony with its surroundings.

Which leaves us, nevertheless, with two possibilities: either a cruel, tragic Zionism, or the forgoing of Zionism.

Yes. That's so. You have pared it down, but that's correct.

Would you agree that this historical reality is intolerable, that there is something inhuman about it?

Yes. But that's so for the Jewish people, not the Palestinians. A people that suffered for 2,000 years, that went through the Holocaust, arrives at its patrimony but is thrust into a renewed round of bloodshed, that is perhaps the road to annihilation. In terms of cosmic justice, that's terrible. It's far more shocking than what happened in 1948 to a small part of the Arab nation that was then in Palestine.
So what you are telling me is that you live the Palestinian Nakba of the past less than you live the possible Jewish Nakba of the future?

Yes. Destruction could be the end of this process. It could be the end of the Zionist experiment. And that’s what really depresses and scares me.

The title of the book you are now publishing in Hebrew is Victims. In the end, then, your argument is that of the two victims of this conflict, we are the bigger one.

Yes. Exactly. We are the greater victims in the course of history and we are also the greater potential victim. Even though we are oppressing the Palestinians, we are the weaker side here. We are a small minority in a large sea of hostile Arabs who want to eliminate us. So it’s possible that when their desire is realized, everyone will understand what I am saying to you now. Everyone will understand we are the true victims. But by then it will be too late.


Shapira is one of the several dozen Israeli active, reserve, and veteran pilots who signed a letter to the Israel Defense Forces protesting “illegal and immoral orders” for operations against civilians in the occupied territories and, in the case of the active and reserve pilots, refusing to take part in further such operations. The pilots’ initiative is a continuation of the Refusenik movement that first surfaced in 1982, in response to the Israeli invasion of Lebanon. The term refers to combat soldiers who will not fight in the occupied territories as well as to conscientious objectors who refuse all service in the IDF.

Let’s go back now to the night between 22 to 23 of July 2002. It is late at night, the F16 squadron is at the air force base. The crew which is on-call consists of a pilot and a navigator. Scramble to Gaza. Waiting for the order to attack. The order is received. The bombs are dropped. Landing. De-briefing, and return to routine.

On this specific mission a one-ton bomb was dropped (equal to a hundred suicide bombs) on a house in the al-Deredg quarter in Gaza, one of the most crowded neighborhoods in Gaza, indeed in the whole world. During this action 14 human beings were killed and more than 150 others were wounded. Four families, 9 children, 2 women and 2 men, were wiped out by the crew of the airplane that executed this mission and hit the target in the full belief that they were defending Israelis. They honestly believed this.

This is what Dan Halutz (commander of the air force) had to say about the mission: “I
declare that everything taking place before the mission is justified according to my moral compass..."

And to the pilots he said: “Sleep well tonight...you executed this mission perfectly.” We did not sleep well that night, and we continued not to sleep when:

• On 31 August 2002—when [al-Aqsa Martyrs Brigade member Rafat] Daraghma was annihilated and with him 4 children.
• On 8 April 2003—when [Hamas military cmdr. Sa’ad] Arabid and [Hamas member] al-Halabi were annihilated and with them 2 children and 5 adults.
• On 10 June 2003—During an attempt to annihilate [Hamas spokesman ‘Abd al-’Aziz] Rantisi, a girl, a woman and 5 men were killed.
• On 11 June 2003—when [Hamas military cmdr. Suhayl] Abu-Nahil was annihilated and with him 2 women and 5 men.
• On 12 June 2003—when [Hamas’s] Salah Taha, a one-year old infant, a woman, and 5 men were annihilated.

And more, and more...

And also three months ago in a blitz of five attacks 2 wanted persons were wiped out and with them another 12 innocent people. Minister Effi Eitam and high officers in the IDF do not like the expression “innocent Palestinians,” they prefer to call them “bystanders.” Altogether 211 persons were killed in the action, among these about half (86) onlookers.

And what kind of security did we get in return? Attacks and more attacks, we in our Apache and they in their suicide bombs, together in a dance of madness towards suicide.

So we did not sleep at night, and we wrote this letter:

We, air force pilots in reserve duty, who were raised on the values of Zionism, sacrifice and contributing to the State of Israel, we have always served on the front lines, willing to perform any assignment, difficult or simple, in order to protect the State of Israel and to strengthen her.

We, veteran pilots and active pilots together, who served and still serve the State of Israel during long weeks each year, object to perform illegal and immoral orders of attacks that the State of Israel performs in the territories.

We, who were raised to love the State of Israel and to contribute to the Zionist enterprise, refuse to take part in the attacks of the air force in concentrations of civilian population.

We, for whom the IDF and the air force are inseparable parts of us, refuse to continue and harm innocent civilians.

These actions are illegal and immoral and are a direct result of the ongoing occupation, which corrupts Israeli society as a whole.

The continuation of the occupation delivers a mortal blow to the security of the State of Israel and to her moral strength.

We who serve as active pilots—fighters, leaders, and instructors of the next generation of pilots—declare hereby that we shall continue to serve in the IDF and the air force in every assignment in the defense of the State of Israel.

We spoke to more than a hundred pilots, among them veteran commanders in the air force. Many were afraid to sign but supported our idea—and as proof: nobody leaked even a word. And maybe it is important to tell you on this occasion in short who signed the letter. This is an opportunity to get to know some of those “traitors who aided terrorism.” [There follows a list of names of 10 active pilots with their ranks and type of aircraft—Apache helicopters, Blackhawks, F-15s, and F-16s—as well as the names of some of the 20 veteran pilots who joined the initiative, including their war service and medals.]

If we were to ask a citizen who lives in a state which turned into a dictatorship, at what moment exactly did this happen? He would not be able to give an answer. It is an incremental process, often much of which is hidden from view.

But there are elements that are not hidden and I would like to give an example: A few months ago the Chief of Staff (a person in uniform) declared that every member of Hamas is a target for annihilation.

With your permission I would like to read you the response of the army spokesman and the army prosecutor, regarding complaints addressed to the IDF a decade ago, in the year 1993. At the time the prosecutor and spokesperson claimed that role of the Mista’Aravim unit is not to annihilate: “The
IDF dismisses this claim absolutely. There was not, and there will not be any policy or reality in the IDF of intentional annihilation of wanted persons. The instructions for opening fire are twofold: the principle of the sanctity of life is a basic value in the IDF. There is no change whatsoever, and there will be no change in this matter."

So what does this statement suggest? Have we not crossed the red line? Or can we perhaps continue a bit further? Many people say that we have not yet reached the red line and that for the time being one must not refuse... we must continue to obey. And this position reminds me of the red water line of the Sea of Galilee. Every time the level of water in the lake crosses the red line we lower it a little.

When my country finds itself in the situation similar to a plane in a wild nose-dive towards the ground, I have three options: I can jump out, and leave Israel; I can continue indifferently to let the plane dive and crash bringing about everybody's death; or I can pull the stick with all my legal strength, and try to save myself from crashing. We are about to crash. So we pulled the stick and people asked us how we could do this considering that terrorism is rampant in the streets. And I reply—you are right, and regretfully I know this from close up.

For the past years I have volunteered for Sela—an organization helping new immigrants who are victims of terrorismo, I assisted the wounded during their period of recovery, and I guided groups of orphans and of bereaved family members.

Each person is a world unto him or herself and each bereavement has many circles of grief and hurt, like a small stone thrown into the water gives rise to nearly interminable rings. Grief, pain, want, anger, despair and more... so we must fight this criminal terrorism.

If I must kill a suicide bomber on his way to a terrorist attack, and even pay with my life for this, in the knowledge that I save other human lives—I will do this with all my heart. But none of the so-called selective annihilations was directed against a terrorist on his way to an attack (and the IDF corroborates this).

So we must fight terrorism, but at the same time we must fight not to become more and more like the terrorists. The fact that buses explode here, does not justify [PM Ariel] Sharon, [DM Shaul] Mofaz and Air Force Chief Dan Halutz decision to "unintentionally" kill nine children in their sleep, and to sow terror in a population of millions who live under a reign of closures, curfews and checkpoints. A population enclosed by walls and camps, under the guns of an enormous and frightening army, equipped to the teeth with jet-planes which shake the skies, and attack-helicopters who time and again send rockets into cars and into the windows of houses, in crowded and destitute cities.

I would like to quote from a recent article... in which Apache pilots (not refusers) were interviewed about the dilemma's facing them: An experienced helicopter pilot told the interviewer: "It is likely that in another couple of years I'll say to myself: you are an idiot, you crossed red lines."

Another pilot spoke about a set of values which underwent change in the last two years: "I would not have believed that I would send rockets into Jenin, Gaza, and Tulkarm, and I am doing it. Maybe they'll send me to shoot rockets at Umm al-Fahm (an Israeli city)? Today this looks crazy, but it might happen in another year. Perhaps we'll shoot rockets at Arafat's office, maybe a rocket at Arab houses in Jaffa—this is the kind of thing that I believe I will not do. But today I shoot rockets 100 meter away from people, just to get them to disperse, and two years ago I would not have entertained the thought that I would carry out such actions; we have become indifferent."

Yet another pilot says: "Sometimes I come from a debriefing after a successful extermination and I know up front that the countdown for another attack has started."

I have seen much blood lately during my service in the squadron. In between dropping commando troops at the outskirts of cities in the West Bank, I had to evacuate dozens of wounded, including IDF soldiers and civilians, some of them children who were suffered horrible wounds. At times we would evacuate the wounded to a hospital, scrub the blood from the floor of the helicopter, and return to bring more.

And I ask myself—why? Are we really so obtuse and naive to think that we can repress 3.5 million people who have lost all fear of death? Aren't we going crazy too? Apparently we are.

It seems to me that we are a society in an advanced psychotic state, a kind of split personality and the only way many of us survive is to close up and to disappear into our own bubble. And if anything is really worthwhile blowing up—it is this bubble.
How can we blow up the bubble? Very simple—get to know the facts.

So let's briefly examine what has happened to us in the past three years. In the territories: 2289 Palestinians have been killed in the territories by Israeli security forces, amongst them 439 minors under the age of 18. At least 128 Palestinians have been put to death without trial by Israel. In the course of their execution 88 additional Palestinians were killed. 32 Palestinians were killed by Israeli civilians. 9 foreign nationals were shot and killed by bullets from Israeli security forces. 196 Israeli civilians were killed by Palestinians. 180 members from the Israeli security forces were killed by Palestinians. 86 Palestinians were killed by Palestinians on suspicion of collaboration with Israel. 29 Palestinians were killed by Palestinian security forces.

In Israel: 377 Israeli civilians, 80 members of the security forces and 32 foreign civilians were killed by Palestinian inhabitants of the territories. 48 Palestinians were killed by the security forces. The IDF confirms that among the 2289 Palestinians that were killed by our forces only 550 were bearing arms or were fighters. What happened to the remaining 1739?

Before I finish, I would like to share with you some hair-raising moments from the last two difficult months: During the interview of my dismissal I sat opposite the commander of the air force and I heard him say repeatedly with burning eyes that all the missions we performed, including the most difficult ones, are highly moral, and even Prof. Asa Kasher [of Tel Aviv University, author of the IDF military code of ethics] agrees. Further on in the conversation and by his own initiative, Dan Halutz, commander of the air force and candidate for the office of Vice Chief of Staff, spelled out before me the value of blood as he sees it—in descending order, from Jewish blood down to the blood of a Palestinian.

I have heard many infantry soldiers say, and to my deep regret I have also read in a letter that was sent by one of the pilots who objects to our acts, that “our heroism today in the air force of 2003 is not to endanger our lives either under anti-aircraft fire or when fighting enemy aircraft; our heroism today is expressed in that we succeed to overcome the catastrophic feelings that arise in us as a result of our being 'professional assassins' in the service of the State of Israel. Our heroism is to overcome all this with courage, and to get up every morning with a renewed choice to be good soldiers who are willing and ready to take upon ourselves any mission.”

This same shift of responsibility from the shoulders of the soldier and its exchange for a sense of fulfillment of "valor" in coping with his difficult task, is what enables pilots to perform the worst crimes against humanity.

UNITED STATES


The measure, which calls for Syria to cease providing support and safe haven to “terrorist organizations” and to “let Lebanon be ruled by the Lebanese people without the presence of [the Syrian] occupation army,” was one of several put forward by Congress in April 2002 to support Israel and to isolate the Palestinians in the wake of Operation Defensive Shield and other major Israeli operations against the occupied territories (see Quarterly update in JPS 124). Work on the bill was suspended, however, at President Bush’s request so as not to “complicate or even undermine” efforts to promote an Israeli-Syrian agreement. Following the U.S.-led war on Iraq, the bill was revived in April 2003, with the White House subsequently quietly informing Congress that it would no longer oppose it; Congress rushed to resume debate immediately after Israel’s 5 October 2003 air strike on an alleged Palestinian training camp in Syria. The final draft was approved on 15 October by the House (398-4) and on 11 November by the Senate (89-4), and signed into law by Bush on 12 December 2003. Although the act allows the president to waive sanctions on security grounds, Bush informed Congress on 12 February 2004 of his intention to impose sanctions soon. At press time, the administration was reportedly trying to fashion a sanctions package that would be harsh enough to demonstrate resolve to punish Syria, but not so harsh as to cause Damascus to suspend intelligence cooperation with the U.S. on al-Qa’ida. The text is available on the Library of Congress Web site at thomas.loc.gov.

An Act to halt Syrian support for terrorism, end its occupation of Lebanon, and stop its development of weapons of mass
destruction, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes.

 secured in Congress assembled,

SEC. 1. SHORT TITLE

This Act may be cited as the “Syria Accountability and Lebanese Sovereignty Restoration Act of 2003.”

SEC. 2. FINDINGS

Congress makes the following findings:

(1) On June 24, 2002, President Bush stated “Syria must choose the right side in the war on terror by closing terrorist camps and expelling terrorist organizations.”

(2) United Nations Security Council Resolution 1373 (September 28, 2001) mandates that all states “refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts,” take “the necessary steps to prevent the commission of terrorist acts,” and “deny safe haven to those who finance, plan, support, or commit terrorist acts.”

(3) The Government of Syria is currently prohibited by United States law from receiving United States assistance because it has repeatedly provided support for acts of international terrorism, as determined by the Secretary of State for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)) and other relevant provisions of law.

(4) Although the Department of State lists Syria as a state sponsor of terrorism and reports that Syria provides “safe haven and support to several terrorist groups,” fewer United States sanctions apply with respect to Syria than with respect to any other country that is listed as a state sponsor of terrorism.

(5) Terrorist groups, including Hizballah, Hamas, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine-General Command, maintain offices, training camps, and other facilities on Syrian territory, and operate in areas of Lebanon occupied by the Syrian armed forces and receive supplies from Iran through Syria.

(6) United Nations Security Council Resolution 520 (September 17, 1982) calls for “strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon through the Lebanese Army throughout Lebanon.”

(7) Approximately 20,000 Syrian troops and security personnel occupy much of the sovereign territory of Lebanon exerting undue influence upon its government and undermining its political independence.

(8) Since 1990 the Senate and House of Representatives have passed seven bills and resolutions which call for the withdrawal of Syrian armed forces from Lebanon.

(9) On March 3, 2003, Secretary of State Colin Powell declared that it is the objective of the United States to “let Lebanon be ruled by the Lebanese people without the presence of [the Syrian] occupation army.”

(10) Large and increasing numbers of the Lebanese people from across the political spectrum in Lebanon have mounted peaceful and democratic calls for the withdrawal of the Syrian Army from Lebanese soil.

(11) Israel has withdrawn all of its armed forces from Lebanon in accordance with United Nations Security Council Resolution 425 (March 19, 1978), as certified by the United Nations Secretary General.

(12) Even in the face of this United Nations certification that acknowledged Israel’s full compliance with Security Council Resolution 425, Syrian- and Iranian-supported Hizballah continues to attack Israeli outposts at Shebaa Farms, under the pretense that Shebaa Farms is territory from which Israel was required to withdraw by Security Council Resolution 425, and Syrian- and Iranian-supported Hizballah and other militant organizations continue to attack civilian targets in Israel.

(13) Syria will not allow Lebanon—a sovereign country—to fulfill its obligation in accordance with Security Council Resolution 425 to deploy its troops to southern Lebanon.

(14) As a result, the Israeli-Lebanese border and much of southern Lebanon...
is under the control of Hizballah, which continues to attack Israeli positions, allows Iranian Revolutionary Guards and other militant groups to operate freely in the area, and maintains thousands of rockets along Israel's northern border, destabilizing the entire region.

(15) On February 12, 2003, Director of Central Intelligence George Tenet stated the following with respect to the Syrian and Iranian-supported Hizballah: "[A]n organization with capability and worldwide presence [it] is [al Qaeda's] equal if not a far more capable organization *** [T]hey're a notch above in many respects, in terms of in their relationship with the Iranians and the training they receive, [which] puts them in a state-sponsored category with a potential for lethality that's quite great:"

(16) In the State of the Union address on January 29, 2002, President Bush declared that the United States will "work closely with our coalition to deny terrorists and their state sponsors the materials, technology, and expertise to make and deliver weapons of mass destruction."


(19) The Government of Syria is pursuing the development and production of biological and chemical weapons and has a nuclear research and development program that is cause for concern.

(20) According to the Central Intelligence Agency's "Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions," released January 7, 2003: "[Syria] already holds a stockpile of the nerve agent sarin but apparently is trying to develop more toxic and persistent nerve agents. Syria remains dependent on foreign sources for key elements of its [chemical weapons] program, including precursor chemicals and key production equipment. It is highly probable that Syria also is developing an offensive [chemical weapons] capability."

(21) On May 6, 2002, the Under Secretary of State for Arms Control and International Security, John Bolton, stated: "The United States also knows that Syria has long had a chemical warfare program. It has a stockpile of the nerve agent sarin and is engaged in research and development of the more toxic and persistent nerve agent VX. Syria, which has signed but not ratified the [Biological Weapons Convention], is pursuing the development of biological weapons and is able to produce at least small amounts of biological warfare agents."

(22) According to the Central Intelligence Agency's "Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions," released January 7, 2003: "Russia and Syria have approved a draft cooperative program on cooperation on civil nuclear power. In principal, broader access to Russian expertise provides opportunities for Syria to expand its indigenous capabilities, should it decide to pursue nuclear weapons."

(23) Under the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483), which entered force on March 5, 1970, and to which Syria is a party, Syria has undertaken not to acquire or produce nuclear weapons and has accepted full scope safeguards of the International Atomic Energy Agency to detect diversions of nuclear materials from peaceful activities to the production of nuclear weapons or other nuclear explosive devices.

(24) Syria is not a party to the Chemical Weapons Convention or the Biological Weapons Convention, which entered into force on April 29, 1997, and on March 26, 1975, respectively.

(25) Syrian President Bashar Assad promised Secretary of State Powell in February 2001 to end violations of Security Council Resolution 661, which restricted the sale of oil and other commodities by Saddam Hussein's regime, except to the extent authorized by other relevant resolutions, but this pledge was never fulfilled.

(26) Syria's illegal imports and transshipments of Iraqi oil during Saddam Hussein's regime earned Syria $50,000,000 or more per month as Syria continued
to sell its own Syrian oil at market prices.

(27) Syria's illegal imports and transshipments of Iraqi oil earned Saddam Hussein's regime $2,000,000 per day.

(28) On March 28, 2003, Secretary of Defense Donald Rumsfeld warned: "[W]e have information that shipments of military supplies have been crossing the border from Syria into Iraq, including night-vision goggles. These deliveries pose a direct threat to the lives of coalition forces. We consider such trafficking as hostile acts, and will hold the Syrian government accountable for such shipments."

(29) According to Article 23(1) of the United Nations Charter, members of the United Nations are elected as nonpermanent members of the United Nations Security Council with "due regard being specially paid, in the first instance to the contribution of members of the United Nations to the maintenance of international peace and security and to other purposes of the Organization."


(31) On March 31, 2003, the Syrian Foreign Minister, Farouq al-Sharra, made the Syrian regime's intentions clear when he explicitly stated that "Syria's interest is to see the invaders defeated in Iraq."

(32) On April 13, 2003, Secretary of Defense Donald Rumsfeld charged that "busloads" of Syrian fighters entered Iraq with "hundreds of thousands of dollars" and leaflets offering rewards for dead American soldiers.

(33) On September 16, 2003, the Under Secretary of State for Arms Control and International Security, John Bolton, appeared before the Subcommittee on the Middle East and Central Asia of the Committee on International Relations of the House of Representatives, and underscored Syria's "hostile actions" toward coalition forces during Operation Iraqi Freedom. Under Secretary Bolton added that: "Syria allowed military equipment to flow into Iraq on the eve of and during the war. Syria permitted volunteers to pass into Iraq to attack and kill our service members during the war, and is still doing so."

(34) During his appearance before the Committee on International Relations of the House of Representatives on September 25, 2003, Ambassador L. Paul Bremer, III, Administrator of the Coalition Provisional Authority in Iraq, stated that out of the 278 third-country nationals who were captured by coalition forces in Iraq, the "single largest group are Syrians."

SEC. 3. SENSE OF CONGRESS

It is the sense of Congress that—

(1) the Government of Syria should immediately and unconditionally halt support for terrorism, permanently and openly declare its total renunciation of all forms of terrorism, and close all terrorist offices and facilities in Syria, including the offices of Hamas, Hizballah, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine-General Command;

(2) the Government of Syria should—

(A) immediately and unconditionally stop facilitating transit from Syria to Iraq of individuals, military equipment, and all lethal items, except as authorized by the Coalition Provisional Authority or a representative, internationally recognized Iraqi government;

(B) cease its support for "volunteers" and terrorists who are traveling from and through Syria into Iraq to launch attacks; and

(C) undertake concrete, verifiable steps to deter such behavior and control the use of territory under Syrian control;

(3) the Government of Syria should immediately declare its commitment to completely withdraw its armed forces, including military, paramilitary, and security forces, from Lebanon, and set a firm timetable for such withdrawal;

(4) the Government of Lebanon should deploy the Lebanese armed forces to all areas of Lebanon, including South Lebanon, in accordance with United Nations Security Council Resolution 520 (September 17, 1982), in order to assert the sovereignty of the Lebanese state over all of its territory, and should evict all
terrorist and foreign forces from southern Lebanon, including Hizballah and the Iranian Revolutionary Guards;
(5) the Government of Syria should halt the development and deployment of medium- and long-range surface-to-surface missiles and cease the development and production of biological and chemical weapons;
(6) the Governments of Lebanon and Syria should enter into serious unconditional, bilateral negotiations with the Government of Israel in order to realize a full and permanent peace;
(7) the United States should continue to provide humanitarian and educational assistance to the people of Lebanon only through appropriate private, nongovernmental organizations and appropriate international organizations, until such time as the Government of Lebanon asserts sovereignty and control over all of its territory and borders and achieves full political independence, as called for in United Nations Security Council Resolution 520; and
(8) as a violator of several key United Nations Security Council resolutions and as a nation that pursues policies which undermine international peace and security, Syria should not have been permitted to join the United Nations Security Council or serve as the Security Council's President, and should be removed from the Security Council.

SEC. 4. STATEMENT OF POLICY

It is the policy of the United States that—
(1) Syria should bear responsibility for attacks committed by Hizballah and other terrorist groups with offices, training camps, or other facilities in Syria, or bases in areas of Lebanon occupied by Syria;
(2) the United States will work to deny Syria the ability to support acts of international terrorism and efforts to develop or acquire weapons of mass destruction;
(3) the Secretary of State will continue to list Syria as a state sponsor of terrorism until Syria ends its support for terrorism, including its support of Hizballah and other terrorist groups in Lebanon and its hosting of terrorist groups in Damascus, and comes into full compliance with United States law relating to terrorism and United Nations Security Council Resolution 1373 (September 28, 2001);
(4) the full restoration of Lebanon's sovereignty, political independence, and territorial integrity is in the national security interest of the United States;
(5) Syria is in violation of United Nations Security Council Resolution 520 (September 17, 1982) through its continued occupation of Lebanese territory and its encroachment upon Lebanon's political independence;
(6) Syria's obligation to withdraw from Lebanon is not conditioned upon progress in the Israeli-Syrian or Israeli-Lebanese peace process but derives from Syria's obligation under Security Council Resolution 520;
(7) Syria's acquisition of weapons of mass destruction and ballistic missile programs threaten the security of the Middle East and the national security interests of the United States;
(8) Syria will be held accountable for any harm to Coalition armed forces or to any United States citizen in Iraq if the government of Syria is found to be responsible due to its facilitation of terrorist activities and its shipments of military supplies to Iraq; and
(9) the United States will not provide any assistance to Syria and will oppose multilateral assistance for Syria until Syria ends all support for terrorism, withdraws its armed forces from Lebanon, and halts the development and deployment of weapons of mass destruction and medium- and long-range surface-to-surface ballistic missiles.

SEC. 5. PENALTIES AND AUTHORIZATION

(a) PENALTIES.—Until the President makes the determination that Syria meets all the requirements described in paragraphs (1) through (4) of subsection (d) and certifies such determination to Congress in accordance with such subsection—
(1) the President shall prohibit the export to Syria of any item, including the issuance of a license for the export of any item, on the United States Munitions List or Commerce Control List of dual-use items in the Export Administration Regulations (15 CFR part 730 et seq.); and
(2) the President shall impose two or more of the following sanctions:
(A) Prohibit the export of products of the United States (other than food and medicine) to Syria.

(B) Prohibit United States businesses from investing or operating in Syria.

(C) Restrict Syrian diplomats in Washington, D.C., and at the United Nations in New York City, to travel only within a 25-mile radius of Washington, D.C., or the United Nations headquarters building, respectively.

(D) Prohibit aircraft of any air carrier owned or controlled by Syria to take off from, land in, or overfly the United States.

(E) Reduce United States diplomatic contacts with Syria (other than those contacts required to protect United States interests or carry out the purposes of this Act).

(F) Block transactions in any property in which the Government of Syria has any interest, by any person, or with respect to any property, subject to the jurisdiction of the United States.

(b) WAIVER.—The President may waive the application of subsection (a)(1), (a)(2), or both if the President determines that it is in the national security interest of the United States to do so and submits to the appropriate congressional committees a report containing the reasons for the determination.

(c) AUTHORITY TO PROVIDE ASSISTANCE TO SYRIA.—If the President—

(1) makes the determination that Syria meets the requirements described in paragraphs (1) through (4) of subsection (d) and certifies such determination to Congress in accordance with such subsection;

(2) determines that substantial progress has been made both in negotiations aimed at achieving a peace agreement between Israel and Syria and in negotiations aimed at achieving a peace agreement between Israel and Lebanon; and

(3) determines that the Government of Syria is strictly respecting the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon through the Lebanese army throughout Lebanon, as required under paragraph (4) of United Nations Security Council Resolution 520 (1982), then the President is authorized to provide assistance to Syria under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance).

(d) CERTIFICATION.—A certification under this subsection is a certification transmitted to the appropriate congressional committees of a determination made by the President that—

(1) the Government of Syria has ceased providing support for international terrorist groups and does not allow terrorist groups, such as Hamas, Hizballah, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine-General Command to maintain facilities in territory under Syrian control;

(2) the Government of Syria ended its occupation of Lebanon described in section 2(7) of this Act;

(3) the Government of Syria has ceased the development and deployment of medium- and long-range surface-to-surface ballistic missiles, is not pursuing or engaged in the research, development, acquisition, production, transfer, or deployment of biological, chemical, or nuclear weapons, has provided credible assurances that such behavior will not be undertaken in the future, and has agreed to allow United Nations and other international observers to verify such actions and assurances; and

(4) the Government of Syria has ceased all support for, and facilitation of, all terrorist activities inside of Iraq, including preventing the use of territory under its control by any means whatsoever to support those engaged in terrorist activities inside of Iraq.

SEC. 6. REPORT

(a) REPORT.—Not later than 6 months after the date of the enactment of this Act, and every 12 months thereafter until the conditions described in paragraphs (1) through (4) of section 5(d) are satisfied, the Secretary of State shall submit to the appropriate congressional committees a report on—

(1) Syria's progress toward meeting the conditions described in paragraphs (1) through (4) of section 5(d);

(2) connections, if any, between individual terrorists and terrorist groups which maintain offices, training camps, or other facilities on Syrian territory, or operate in areas of Lebanon occupied by
the Syrian armed forces, and terrorist attacks on the United States or its citizens, installations, or allies; and
(3) how the United States is increasing its efforts against Hizballah and other terrorist organizations supported by Syria.

(b) FORM.—The report submitted under subsection (a) shall be in unclassified form but may include a classified annex.

SEC. 7. DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES

In this Act, the term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.


The following article by Peter Waldman chronicles the overwhelming influence of Princeton University professor and Orientalist scholar Bernard Lewis not only on the formation of Bush administration and neoconservative Middle East policy but also on Israeli strategy toward the Palestinian question since the 1970s. Lewis, for decades a mentor to many leading neoconservatives, has since 9/11 gained unprecedented access to Bush administration policy makers, who themselves call him “the single most important intellectual influence countering the conventional wisdom on managing the conflict between radical Islam and the West.”

Bernard Lewis often tells audiences about an encounter he once had in Jordan. The Princeton University historian, author of more than twenty books on Islam and the Middle East, says he was chatting with Arab friends in Amman when one of them trotted out an argument familiar in that part of the world.

“We have time, we can wait,” he quotes the Jordanian as saying. “We got rid of the Crusaders. We got rid of the Turks. We’ll get rid of the Jews.”

Hearing this claim “one too many times,” Mr. Lewis says, he politely shot back, “Excuse me, but you’ve got your history wrong. The Turks got rid of the Crusaders. The British got rid of the Turks. The Jews got rid of the British. I wonder who is coming here next.”

The vignette, recounted in the eighty-seven-year-old scholar’s native British accent, always garners laughs. Yet he tells it to underscore a serious point. Most Islamic countries have failed miserably at modernizing their societies, he contends, beckoning outsiders—this time, Americans—to intervene.

Call it the Lewis Doctrine. Though never debated in Congress or sanctified by presidential decree, Mr. Lewis’s diagnosis of the Muslim world’s malaise, and his call for a U.S. military invasion to seed democracy in the Mideast, have helped define the boldest shift in U.S. foreign policy in fifty years. The occupation of Iraq is putting the doctrine to the test.

For much of the second half of the last century, America viewed the Mideast and the rest of the world through a prism shaped by George Kennan, author of the doctrine of “containment.” In a celebrated 1947 article in Foreign Affairs focused on the Soviet Union, Mr. Kennan gave structure to U.S. policy in the cold war. It placed the need to contain Soviet ambitions above all else.

Terrorism has replaced Moscow as the global foe. And now America, having outlusted the Soviets to become the sole superpower, no longer seeks to contain but to confront, defeat, and transform. How successful it is at remolding Iraq and the rest of the Mideast could have a huge impact on what sort of superpower America will be for decades to come: bold and assertive—or inward, defensive, and cut off.

As mentor and informal adviser to some top U.S. officials, Mr. Lewis has helped coax the White House to shed decades of thinking about Arab regimes and the use of military power. Gone is the notion that U.S. policy in the oil-rich region should promote stability above all, even if it means taking tyrants as friends. Also gone is the corollary notion that fostering democratic values in these lands risks destabilizing them. Instead, the Lewis Doctrine says fostering Mideast democracy is not only wise but imperative.

After Sept. 11, 2001, as policy makers fretted urgently about how to understand and deal with the new enemy, Mr. Lewis helped provide an answer. If his prescription is right, the United States may be able to blunt terrorism and stabilize a region that, as the chief exporter of oil, powers the industrial world and underpins the U.S.-led economic order. If it’s wrong, as his critics contend, America risks provoking sharper conflicts
that spark more terrorism and undermine energy security.

After the terror attacks, White House staffers disagreed about how to frame the enemy, says David Frum, who was a speechwriter for President Bush. One group believed Muslim anger was all a misunderstanding—that Muslims misperceived America as decadent and godless. Their solution: Launch a vast campaign to educate Muslims about America’s true virtue. Much of that effort, widely belittled in the press and overseas, was quietly abandoned.

A faction led by political strategist Karl Rove believed soul-searching over “why Muslims hate us” was misplaced, Mr. Frum says. Mr. Rove summoned Mr. Lewis to address some White House staffers, military aides, and staff members of the National Security Council. The historian recited the modern failures of Arab and Muslim societies and argued that anti-Americanism stemmed from their own inadequacies, not America’s. Mr. Lewis also met privately with Mr. Bush’s national security adviser, Condoleezza Rice. Mr. Frum says he soon noticed Mr. Bush carrying a marked-up article by Mr. Lewis among his briefing papers. A White House spokesman declined to comment.

Says Mr. Frum: “Bernard comes with a very powerful explanation for why 9/11 happened. Once you understand it, the policy presents itself afterward.”

His exposition and the policies it helped set in motion heralded a decisive break with the doctrine that prevailed during the cold war. Containment, Mr. Kennan said, had “nothing to do with outward histrionics: with threats or blustering or superfluous gestures of outward ‘toughness.’” It rested on the somber calculation that even the most aggressive enemy wouldn’t risk its own demise by provoking war with a powerful United States.

The Lewis Doctrine posits no such rational foe. It envisions not a clash of interests or even ideology, but of cultures. In the Mideast, the font of the terrorism threat, America has but two choices, “both disagreeable,” Mr. Lewis has written: “Get tough or get out.” His celebration, rather than shunning, of toughness is shared by several other influential U.S. Mideast experts, including Fouad Ajami and Richard Perle.

A central Lewis theme is that Muslims have had a chip on their shoulders since 1683, when the Ottomans failed for the second time to sack Christian Vienna. “Islam has been on the defensive” ever since, Mr. Lewis wrote in a 1990 essay called “The Roots of Muslim Rage,” where he described a “clash of civilizations,” a concept later popularized by Harvard political scientist Samuel Huntington. For 300 years, Mr. Lewis says, Muslims have watched in horror and humiliation as the Christian civilizations of Europe and North America have overshadowed them militarily, economically, and culturally.

“The question people are asking is why they hate us. That’s the wrong question," said Mr. Lewis on C-SPAN shortly after the Sept. 11 attacks. "In a sense, they’ve been hating us for centuries, and it’s very natural that they should. You have this millennial rivalry between two world religions, and now, from their point of view, the wrong one seems to be winning.”

He continued: “More generally...you can’t be rich, strong, successful and loved, particularly by those who are not rich, not strong, and not successful. So the hatred is something almost axiomatic. The question which we should be asking is why do they neither fear nor respect us?”

For Mr. Lewis and officials influenced by his thinking, instilling respect or at least fear through force is essential for America’s security. In this formulation, the current era of American dominance, sometimes called “Pax Americana,” echoes elements of Pax Britannica, imposed by the British Empire Mr. Lewis served as a young intelligence officer after graduate school.

Eight days after the Sept. 11 attacks, with the Pentagon still smoldering, Mr. Lewis addressed the U.S. Defense Policy Board. Mr. Lewis and a friend, Iraqi exile leader Ahmad Chalabi—now a member of the interim Iraqi Governing Council—argued for a military takeover of Iraq to avert still-worse terrorism in the future, says Mr. Perle, who then headed the policy board.

A few months later, in a private dinner with Dick Cheney at the vice president’s residence, Mr. Lewis explained why he was cautiously optimistic the United States could gradually build democracy in Iraq, say others who attended. Mr. Lewis is also held forth on the dangers of appearing weak in the Muslim world, a lesson Mr. Cheney apparently took to heart. Speaking on NBC’s “Meet the Press” just before the invasion of Iraq, Mr. Cheney said: “I firmly believe, along with men like Bernard Lewis, who is one of the great students of that part of the world, that strong, firm U.S. response to terror and to threats to the United States would go a long way,
frankly, toward calming things in that part of the world.”

The Lewis Doctrine, in effect, had become U.S. policy.

“Bernard Lewis has been the single most important intellectual influence countering the conventional wisdom on managing the conflict between radical Islam and the West,” says Mr. Perle, who remains a close adviser to Defense Secretary Donald Rumsfeld. “The idea that a big part of the problem is failed societies on the Arab side is very important. That is not the point of view of the diplomatic establishment.”

Mr. Lewis declined to discuss his official contacts in Washington. When told his political influence was a focus of this article, he turned down an interview request. “It’s still too early,” he said. “Let’s see how things turn out” in Iraq. In speeches and articles, Mr. Lewis continues to advocate assertive U.S. actions in the Mideast, but his long-term influence is likely to turn on whether his neoconservative acolytes retain their power in Washington in years to come.

Born in London in 1916, Mr. Lewis was drawn to the study of history and foreign languages by a deep curiosity about “what things looked like from the other side,” he said on C-SPAN in April. He earned undergraduate and doctoral degrees in Mideast and Islamic history from the School of Oriental and African Studies at the University of London, then spent five years working on Mideast issues for British intelligence during World War II.

Among other things, his wartime service taught him the dangers of appeasement, he told a seminar at the University of Toronto last spring. He said speeches by foes of war in Iraq reminded him of the arguments of peace activists in the 1930s. “All I can say is thank God they didn’t prevail then,” he said. “If they had, Hitler would have won the war, and the Nazis would be ruling the world.”

In 1945, Mr. Lewis returned to the University of London as a professor, where he earned renown in Ottoman and Turkish history. He was lured to Princeton in 1974 and soon became a mentor to many of those now known as neoconservatives.

Mr. Perle recalls hearing Mr. Lewis speak in the early 1970s and inviting him to lunch with Mr. Perle’s then-boss, the late Sen. Henry “Scoop” Jackson of Washington. “Lewis became Jackson’s guru, more or less,” says Mr. Perle. Mr. Lewis also was an adviser to another Democrat, the late Daniel Patrick Moynihan, when Mr. Moynihan was ambassador to the United Nations in the 1970s. He formed lasting ties with several young Jackson and Moynihan aides who went on to apply his views to Iraq. Among them were Paul Wolfowitz, now deputy defense secretary; Elliott Abrams, now National Security Council Mideast chief; and Frank Gaffney Jr., a former Pentagon official. Talking with Mr. Lewis, Mr. Perle says, was “like going to Delphi to see the oracle.”

Mr. Lewis retired from teaching in 1986 but has maintained ties with many former students in high posts. One, Pentagon analyst Harold Rhode, has played prominent roles as Mr. Wolfowitz’s adviser on Islamic affairs, as a planner of the Iraq occupation, and as an aide to Pentagon strategist Andrew Marshall. Mr. Lewis dedicated his latest book, “The Crisis of Islam,” to Mr. Rhode—who says Mr. Lewis is “like a father to me.”

Mr. Lewis is also close to government circles in Israel and Turkey—non-Arab lands he describes as the only successful modern states in the region. He warmly praises Kemal Attaturk, who made Turkey a secular republic after World War I by suppressing Islam. (He has also said the Ottoman Turks’ killing of up to 1.5 million Armenians in 1915 wasn’t genocide but the brutal byproduct of war. It was a stance for which a French court convicted Mr. Lewis in 1995 under France’s Holocaust-denial statute, imposing a token penalty.) Israeli experts say Mr. Lewis’s contacts with Turkish generals and politicians helped cement Israeli-Turkish military ties in the 1990s.

Mr. Lewis became politically involved with Israel by the mid-1970s, when he wrote an article for the American Jewish Committee publication Commentary. At a time when Israel was dead-set against a Palestinian state, he recommended that Israel “test the willingness” of the Palestine Liberation Organization to negotiate a two-state solution to the conflict.

But Mr. Lewis also wrote that Palestinian Arabs didn’t have a historical claim to a state, because Palestine hadn’t existed as a country prior to British rule in 1918. Israeli leaders jumped on that part of his thesis. The late Prime Minister Golda Meir required her cabinet to read the article, says Amnon Cohen of Hebrew University in Jerusalem, who worked for the West Bank military government. He says Mrs. Meir summoned Mr. Lewis and “they spoke for hours. Her aides tried to end it, but Golda kept going, and Bernard didn’t want to be rude. She was very much in favor of his
point” that Palestine as a nation had never existed.

Mr. Lewis began spending months at a time at the Dayan Center at Tel Aviv University in the 1980s. He became the confidant of successive Israeli prime ministers, including Ariel Sharon. Mr. Cohen organizes an annual conference at Hebrew University in honor of Mr. Lewis’s birthday.

Mr. Wolfowitz took part by videoconference in 2002. Signaling the administration’s acceptance of Mr. Lewis’s prescription for Iraq, Mr. Wolfowitz said, “Bernard has taught how to understand the complex and important history of the Middle East, and use it to guide us where we will go next to build a better world for generations to come.”

Mr. Lewis’s work has many critics. Some academics say Mr. Lewis’s descriptions of Arab and Muslim failures epitomize what the late Edward Said of Columbia University dubbed “Orientalism”—the shading of history to justify Western conquest. Mideast historian Juan Cole of the University of Michigan praises Mr. Lewis’s scholarly works earlier in his career but says his more popular writings of recent years tend to caricature Muslims as poor losers, helpless, and enraged.

Mr. Cole is among those who say Mr. Lewis’s call for military intervention to transform failed Muslim states risks making the culture clash between Islamic lands and the West worse. So far, they say, Iraq looks more like a breeding ground for terrorism than a showcase of democracy—not surprising, they say, given that the United States invaded an old and proud civilization.

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After Sept. 11, a book by Mr. Lewis called What Went Wrong? was a best-seller that launched the historian, at age eighty-five, as an unlikely celebrity. Witty and a colorful storyteller, he hit the talk show and lecture circuits, arguing in favor of U.S. intervention in Iraq as a first step toward democratic transformation in the Middle East. Historically, tyranny was foreign to Islam, Mr. Lewis told audiences, while consensual government, if not elections, has deep roots in the Mideast. He said Iraq, with its oil wealth, prior British tutelage, and long repression under Saddam Hussein, was the right place to start moving the Mideast toward an open political system. Audiences lapped it up. At the Harvard Club in New York last spring, guests crowded the main hall beneath a huge elephant head, sipping cocktails and waiting for a word with the historian before his speech. On a day when Baghdad was falling to U.S. forces, one woman wanted to know if the American victory would make Arabs more violent. Mr. Lewis politely deflected the question.

When the throng shifted, another interrogator pushed forward, this one clearly interested in the possible next phase of America’s remolding of the Mideast. “Should we negotiate with Iran’s ayatollahs?” asked Henry Kissinger, drink in hand.

“Certainly not!” Mr. Lewis responded. Up on the podium, Mr. Lewis lambasted the belief of some Mideast experts at the State Department and elsewhere that Arabs weren’t ready for democracy—that a “friendly tyrant” was the best the United States could hope for in Iraq. “That policy,” he quipped, “is called ‘pro-Arab.’”

Others, like himself, believe Iraqis are heirs to a great civilization, one fully capable, “with some guidance,” of democratic rule, he said. “That policy,” he added with a rueful smile, “is called ‘imperialism.’”

The excerpt below is an overall assessment of Israel’s and the PA’s human rights record in the occupied territories from the introduction to the report’s section dealing specifically with those areas. The full report is available on the State Department Web site at www.state.gov.

Israel’s overall human rights record in the occupied territories remained poor and worsened in the treatment of foreign human rights activists as it continued to commit numerous, serious human rights abuses. Security forces killed at least 573 Palestinians and
security forces targeted and killed at least 44 Palestinians, many of whom were terrorists or suspected terrorists. Israeli forces undertook many of these targeted killings in areas where civilian casualties were likely, killing 47 bystanders in the process, including children. The Israeli government said that it made every effort to reduce civilian casualties during these operations.

Israeli security units often used excessive force when confronting Palestinian demonstrations, while on patrol, pursuing suspects, and enforcing checkpoints and curfews, which resulted in numerous deaths. In response to Palestinian attacks on Israeli targets, Palestinian civilian areas suffered extensive damage as a result of IDF retaliation, which included shelling, bombing, and raiding. Israeli soldiers placed Palestinian civilians in danger by ordering them to facilitate military operations, which exposed them to live fire between armed Palestinians and Israeli soldiers. The Government of Israel said that it has reiterated to its forces that they are not to open live fire between armed Palestinians and Israeli soldiers. The IDF destroyed numerous orchards, olive and date groves, and irrigation systems on Palestinian-controlled agricultural land. Israel constructed parts of a large security barrier on land inside the West Bank isolating residents and limiting access to hospitals, schools, social services, and agricultural property. At year's end, Israel was engaged in a process of reconsideration and reassessment of the routing and operation of the security barrier. A number of petitions in connection with the routing and operation of the barrier were pending before Israel's Supreme Court. In several instances, Israel killed, injured, and obstructed human rights monitors and NGO workers through the use of excessive deadly force and the imposition of strict closures. Israeli authorities placed strict limits on freedom of assembly and severely restricted freedom of movement for Palestinians. Israeli security forces failed to prevent Israelis from entering Palestinian-controlled areas in the West Bank who injured or killed several Palestinians. In some cases, Israeli soldiers escorted Israeli civilians who beat Palestinians and damaged Palestinian property.

The PA's overall human rights record remained poor, and it continued to commit numerous, serious abuses. Many members of Palestinian security services and the Fatah faction of the PLO participated with civilians and terrorist groups in violent attacks against
Israeli civilians inside Israel, Israeli settlers, foreign nationals, and soldiers.

Palestinian security forces used excessive force against Palestinians during demonstrations. PA security officials abused prisoners and arbitrarily arrested and detained persons. Prolonged detention without respect for due process remained a problem. The PA provided poor conditions for prisoners. PA courts were inefficient and failed to ensure fair and expeditious trials. Internal closure in the occupied territories obstructed courts from holding sessions or issuing rulings during most of the year. The PA executive and security services frequently ignored or failed to enforce court decisions. PA security forces infringed on the right to privacy and restricted the freedom of speech and press. Palestinian groups harassed and abused journalists. Such restrictions and harassment contributed to the practice of self-censorship by many Palestinian commentators, reporters, and critics. During the year, informal reports of domestic abuse of women and "honor crimes" persisted. Societal discrimination against women and persons with disabilities and child labor remained problems.

Israeli civilians, most often settlers, harassed, attacked, and occasionally killed Palestinians in the occupied territories. During the year, settlers attacked and killed at least one Palestinian. Settlers also caused significant economic damage to Palestinians by attacking and damaging greenhouses and agricultural equipment, uprooting olive trees, and damaging other valuable crops. The settlers did not act under government directive in the attacks, and Israeli soldiers sometimes restrained them, but in several cases Israeli soldiers accompanied them or stood by without acting.

Palestinian terrorists and gunmen were responsible for the deaths of 376 Israelis killed in the occupied territories. Palestinian extremists targeted Israelis in drive-by shootings and ambushes, suicide and other bombings, mortar attacks, and armed attacks on settlements and military bases. Palestinian terrorist and militant groups used minors to prepare attacks or carry them out, exploitation that amounted to forced conscription. During the year, Palestinians acting individually or in groups, including off-duty members of the PA security services, killed 25 Israeli civilians and 39 Israeli security personnel. Most of the attacks were organized by a number of Palestinian terrorist groups, including the militant Islamic Resistance Movement (Hamas), the Palestine Islamic Jihad (PIJ), the Popular Front for the Liberation of Palestine (PFLP), and the Fatah-affiliated al-Aqsa Martyrs Brigades. The Democratic Front for the Liberation of Palestine (DFLP) and Fatah-affiliated groups also participated in the attacks. Palestinian civilians also killed at least five Palestinians in the occupied territories who allegedly had collaborated with Israel. Most of the deaths were shootings perpetrated by small groups of unidentified Palestinian gunmen. The PA conducted no investigations and made no arrests in any of these killings.