

Now, About that "Proportionality"

By Ruth R. Wisse Commentary Magazine March 2009

The charge that Israel's incursion into Gaza led to a "disproportionate" use of force against Palestinians, issued by the likes of former President Jimmy Carter and UN Secretary-General Ban Ki-moon, met with surprising rhetorical resistance in unexpected quarters (on this continent, at least) in the first few weeks after Israel began its operation at the end of December.

"Anyone who knows anything about the Middle East knows that proportionality is madness," wrote Richard Cohen of the *Washington Post*, who is better known as a critic than as a defender of Israel. "These calls for proportionality rankle. They fall on my ears not as genteel expressions of fairness, some ditsy Marquess of Queensbury idea of war, but as ugly sentiments pregnant with antipathy toward the only state in the Middle East that is a democracy."

As a term in international law governing the conduct of war, "proportionality" requires that the destructive force of a military operation should only be as great as the destructive force that provoked it. By the time Israel had launched its operation, Hamas had fired thousands of rockets at Israeli civilians, and had chosen publicly to break the terms of a six-month "cease-fire" to which it had only subscribed in theory anyway. The demand for proportionality created a false equivalence between aggressor (Hamas) and target (Israel) as if the two were engaged in a reciprocal conflict. It then shifted the blame for aggression from assailant to victim, censuring Israel for using more firepower in its defense than Hamas had used in its attacks.

"Would the international community truly prefer a proportionate or equal response?" asked Alan Richarz, a Tokyo-based writer, in the *Christian Science Monitor*. "If Hamas launches three crudely-fashioned rockets into Israel, should the Israeli government respond with three equally-crude rockets? If three Israeli Defense Forces are kidnapped by Hezbollah, should the IDF respond by kidnapping an equal number of Hezbollah foot-soldiers?"

The American Jewish Committee pointed out that international neglect of Hamas's aggression forced Israel to deal with the problem on its own. Given Hamas's tactics of placing rocket launchers, weapons depots, bunkers, and other military installations in densely populated areas of Gaza, "the only way Israel could protect non-combatants from

harm would be to take no meaningful action to suppress Hamas's attacks."

Former Canadian justice minister Irwin Cotler listed multiple violations by Hamas of international humanitarian law, including the deliberate targeting of civilians, which is "in and of itself a war crime;" the use of civilian infrastructures for the launching of rockets; "the misuse of and abuse of humanitarian symbols [of the Red Cross and the UN] for the purposes of launching attacks;" and the recruitment of children into armed conflict. When Israel is the responder, and civilians are killed because Israel is targeting an area from which rockets were launched, then according to international law, Cotler wrote, "it is Hamas and not Israel which bears responsibility for the deaths."

Common-sense arguments like these did a great deal inside the United States to keep the "proportionality" theme from sinking into the national consciousness and thereby becoming a weapon with which to assail Israel in its effort to end the rocket fire. But a more essential aspect of the charge of "disproportion" has so far gone unnoticed. The key disproportion is between the goals of Hamas and the goals of Israel, and more broadly, the overall approach of the twenty-one Arab countries on the matter of Palestinian nationhood and the approach of the Jewish state they surround on three sides.

Imagine a world structured along truly "proportional" lines. In such a world, Israel would have spent 60 years denying that Arabs had any rights to any form of statehood, rather than doing what Israel has actually done, which is to give up major swaths of land to Arabs in pursuit of peace. What move on the part of Arab states has been proportionate to the Israeli actions in giving up the Sinai and its oil riches, the vast majority of the West Bank, the entirety of Gaza, and the territory in Southern Lebanon from which Israel pulled its occupying force in 2000? An Israel acting in proportionate fashion would have gone to the United Nations and its constituent agencies and done everything it could to denounce illegitimate interlopers in the region, would have sought resolutions condemning Arab nationalism as racism, and would have pursued political alliances with other blocs on the basis of common opposition to Arab or Muslim states.

The further application of proportionality in the Middle East conflict would have required that Israel foster a culture of anti-Arab, anti-Muslim hatred and intolerance reaching (according to parallel Pew Global Attitudes studies of anti-Jewish attitudes in Muslim lands) levels of 99 percent to 100 percent. Israel would be using weapons of mass communication to charge Muslims with ritual murder and spending tens of millions of dollars on anti-Arab propaganda worldwide. It would be training suicide bombers for anti-Muslim missions. Its warriors would be mutilating the bodies of Muslims they cornered and killed.

Had the Jews of Israel fully applied the doctrine of proportionality, they would have declared Jerusalem their Mecca, a city holy to themselves alone. They would have forbidden entry to Jerusalem except by extraordinary permit to persons of all other faiths. They would have prohibited the presence in their holy city of churches or mosques. What has Israel actually done? Almost from the moment it unified Jerusalem in June 1967, Israel surrendered control of the site of the last Jewish temple to an independent Muslim authority, which is responsible for managing the mosque that sits atop it. On this plot of land, which sits wholly within borders that Israel says are permanent, no Jew is allowed to pray.¹ This is a directive enforced by Israeli police and the Israeli military.

Radical asymmetry is the essence of the Arab war against the Jews, and the reason it remains resistant to resolution. In the Middle East, it must be said yet again, 21 Arab countries cover hundreds of times the territory of Israel, including land that had been allotted to the Jews by the League of Nations in 1921 but that Britain gave instead to the Hashemite rulers of Jordan. Rather than cultivate their bounty, Arab leaders have chosen over the past 60 years to spend the better part of their political capital in opposition to a Jewish state.

So that they could more convincingly essay the role of aggrieved party, they kept generations of fellow Arabs homeless on the borders of Israel in refugee camps in Gaza, Jordan, and Lebanon. Hamas's use of Arab civilians as human shields in Gaza is merely an extension of the decision by the Arab League to house Palestinians in perpetual refugee camps to serve what Cairo radio called "a moral asset" in the war against Israel.

The asymmetry is not existential, but essential. And to the overwhelming geographic, demographic, economic and political advantages the Arabs have over Israel, one must add the ideological charge of Zionist guilt for Arab suffering. At its extreme, the disproportionality that reigns supreme in the Middle East holds Israel responsible for the harm Arabs do themselves and one another.

Nor does it end at the Mediterranean's waters. The asymmetry is also part and parcel of the effort to delegitimize Israel in the West. Muslim demonstrations against Israel, increasingly accompanied by violence, are now as common in Europe as anti-Jewish demonstrations were in the late 1930's. Slandering Israel and Jews is tolerated because it is considered a legitimate component of Islam, and to oppose it would be to oppose the free exercise of religion.

Not only has there been not a single anti-Muslim demonstration staged by the Jewish remnant in Europe; attacks by non-Jewish Europeans on Muslim doctrines have led to arrest (the anti-Muslim Dutch politician Geert Wilders, now under trial for hate speech), assassination (the Dutch filmmaker Theo van Gogh, who made a short film about violence against women in Muslim countries), and serious threats of imminent death (the Danish cartoonist Kurt Westergaard, who depicted Muhammad with a bomb inside his turban and now lives under police protection). No one in Europe who criticizes Israel does so with even the whisper of the notion crossing his mind that he might be placing himself in danger, from a judicial system keenly sensitive to slights on Islamic honor or from an assassin's blade and bullet.

In the United States, the disproportion finds its most salient expression on university campuses. Blaming Israel for the sorry condition of the Palestinians has emerged as the only sanctioned form of inter-religious and inter-ethnic hostility on campuses otherwise dedicated to ostentatious invocations of diversity and tolerance.

This attitude dominates student activism on Middle East issues and is mirrored in the behavior of the professoriat, particularly in the field of Middle East Studies. A relatively mild example from my university, Harvard, is a course in "Modern Arabic Narratives," many of which are Palestinian; students who complain of inaccuracies and bias in the curriculum have been told that since the very name of the seminar indicates its perspective is solely one expressed by writings in Arabic, it cannot by definition be biased.

At Vassar College, the Fall 2008 catalogue description of History 214, "The Roots of the Palestine-Israel Conflict," warns students: "This course is NOT 2 designed to present 'an objective' account of a 'two-sided' conflict":

The fact that there are supposedly two sides does not obligate us to portray each as equally right and/or equally wrong. The goal, rather, is to understand why the conflict arose, and what sorts of power inequalities have made it continue...Why and how did economic globalization, technological development, and European imperialism foster the creation of two different national identities in

Palestine? Why and how and when did these two identities develop in such a way as to preclude members of certain religious or ethnic groups from belonging?

Despite the proliferation of Jewish-studies programs on campuses throughout the United States, it would be an impossibility to find a course description at an elite American university that operated from an opposing ideological premise—say, that the Jewish people had a connection to the land between the Jordan River and the Mediterranean that was greater and of longer duration than the nomadic peoples who came to be called Palestinians, and that the central place of Palestinians in world politics is due to an imbalance of power between the small Jewish state and the petroleum-drenched Arab states with which it must contend. Such theorizing would be seen as crossing the line from analysis into advocacy, but no such comparable reticence is seen in academic circles when it comes to treating the Palestinian question from the Palestinian perspective. Perhaps even more to the point, the Vassar course is actually taught by a professor involved in the school's Jewish-studies program.

A recent letter-petition addressed to Barack Obama, signed by some 900 American academics, represents yet a third level of disproportionate action on campus. "Since the election of Hamas, in fair and open elections," the document begins,

Israel has subjected the civilian population of Gaza to a prolonged state of siege, designed to suffocate them into submission, depriving them at will of water and power, medical supplies and food, and of access to the outside world. The most recent, all-out assault on Gaza, the disproportionate and bloody use of excessive force, is no act of self-defense, but the dramatic extension of an insidious policy of extermination of a people that refuses to disappear.

These accusations, which ignore Israel's voluntary and complete withdrawal from Gaza in 2005 and the ideological meaning of an election elevating an irredentist terror group whose primary goal is destroying its neighbor, invert political reality beyond any sensible attempts at rectification.

This type of disproportion is nothing new. Back in 2001-02, during what became known as the Second Intifada, terrorists under the direction of Hamas and Yasir Arafat's more putatively mainstream Fatah faction declared open season on Israel's citizens, murdering twenty-one at a Tel Aviv beachside disco, fifteen at the Sbarro Pizzeria in downtown Jerusalem, twenty-nine at a Passover seder in Netanya, seventeen on a bus from Tel Aviv to Tiberias, and on and on. At the time, a contingent of academics from MIT and Harvard took note of the region's carnage only once Israel launched its

defensive action, and then circulated a petition urging their universities to divest from Israel, the terrorized country. Lawrence Summers, then newly (and, it would turn out, only briefly) installed as the president of Harvard, gave the signatories the benefit of the doubt when he said that unfairly singling out Israel was "anti-Semitic in effect if not in intent."

Summer's formulation generously distinguished between deliberate and involuntary anti-Semitism. Rather than take the opportunity offered them to deny their anti-Semitic intention, the signatories responded by charging that Summers was stifling their freedom of speech. In so doing, they complained they were being denied the very rights they were using, while seeking to silence Summers for using the same rights to criticize them. Their anti-Semitism, in effect or in intent, was to be exempted from criticism on the grounds that the act of identifying it posed an insuperable danger to the exercise of the First Amendment.

No discussion of disproportion in the Arab war against the Jewish state would be complete without reference to the role played by Jews in making the enemy's case. Here again, the campus offers us the clearest view of this. An example is the recent case study of the academic conference on "Alternative Histories Within and Beyond Zionism" held in 2007 at the University of California at Santa Cruz. Sponsored by eight university departments, the conference heard four professors and a graduate student present papers "whose primary goals," according to a report by Tammi Rossman-Benjamin, "were the deconstruction, delegitimization, and elimination of Zionism and its realization in a Jewish state."³

All the speakers claimed that Zionism was racist in its formulation and in its realization in the state of Israel. Four branded it a species of European colonialism and imperialism. One called Israel "an apartheid regime," and another called Israel's actions "worse than apartheid." Three said that Zionism was discontinuous with Jewish historical experience, and hence historically and religiously illegitimate. Since the case study simply set out to see whether this was "a legitimate exercise of academic freedom or an abuse of it," it did not identify the speakers except by name and position. All were Israeli or American Jews. ⁴ Need one ask whether there has ever been a comparable effort at national self-delegitimation on the part of Palestinian or Arab thinkers and scholars?

The academics who petitioned President Obama claim that if he wishes to be "on the right side of history," he must make common cause with Arab belligerents. That has not been the view of the United States Congress or the people it represents. On January 9th, the House of Representatives extended by a vote of 390 to 5 its "vigorous support and unwavering commitment to the welfare,

security, and survival of the State of Israel as a Jewish and democratic state with secure borders, and [recognized] its right to act in self-defense to protect its citizens against Hamas's unceasing aggression, as enshrined in the United Nations Charter." With history as our guide, we know that this "unwavering commitment" may occasionally waver. Still, the two democracies continue to stand together against the nihilistic behavior of terrorist actors and the tyrannies abetting them. They should continue to stand together against the those who seek to employ sophistry of the worst order to delegitimize the entirely defensive and entirely defensible actions of a small free state that has lived under the constant threat of violence, and its occasional and devastating outbreak, from the very moment of its inception.

Footnotes

1 Nor is a Christian, for that matter.

2 Emphasis in the original.

3 Tammi Rossman-Benjamin, "Anti-Zionism and the Abuse of Academic Freedom: A Case Study at the University of California, Santa Cruz," in the Report of the Institute for Global Jewish Affairs, No 77, 1 February, 2009. <http://tinyurl.com/9gg8q5>

4 They were: David Theo Goldberg, director of the University of California Humanities Research Institute; Judith Butler, professor of rhetoric and comparative literature at University of California, Berkeley; Hilton Obenzinger, associate director for honors and advanced writing at the Stanford Writing Center; Terri Ginsberg, adjunct professor at Purchase College; and Ryvka Bar Zohar, a graduate student at New York University.

The Settlement Freeze Fallacy

By Elliott Abrams The Washington Post

April 8, 2009

Will Israel's new government face American demands for a settlement freeze? If so, we are headed for a needless confrontation with the Netanyahu cabinet.

There is wide consensus that the main obstacle to an Israeli-Palestinian peace agreement is settlement activity -- new construction in the communities beyond the "Green Line," as the border of Israel from the 1949 armistice until the 1967 war is known. Palestinian Authority President Mahmoud Abbas has called settlement activity "the greatest obstacle" to peace, former president George W. Bush called it an "impediment" to peace, and the international "quartet" -- the United States, the European Union, Russia and the United Nations -- has criticized settlement activity in virtually all of its joint statements.

There is also wide agreement on the antidote: a "settlement freeze," imposed to make peace possible. Consider: In a speech in Washington last February, Palestinian Authority Prime Minister Salam Fayyad said that "what is most desperately required is a cessation of all settlement activity in order to preserve the very possibility of a negotiated two-state solution." The 2001 Mitchell Report said Israel should "freeze all settlement activity, including the 'natural growth' of existing settlements," a conclusion that gained more importance when George Mitchell, the former senator who wrote the report, was named President Obama's Middle East negotiator.

Certainly the establishment of Israeli settlements in the West Bank after 1967 (by Labor and Likud governments) created conditions that complicate negotiations. Hundreds of thousands of Israelis now live beyond the Green Line, and the intense debate in Israel over then-Prime Minister Ariel Sharon's removal of fewer than 9,000 settlers from Gaza

suggests that removing settlements from the West Bank will be even more controversial and difficult.

But those settlements exist, and there is no point in debating whether it was right to build them. President Bush largely resolved the issue of the major settlement blocs in a 2004 letter to Sharon. He stated a truth that Palestinians have come to recognize: "In light of new realities on the ground, including already existing major Israeli populations centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949, and all previous efforts to negotiate a two-state solution have reached the same conclusion. It is realistic to expect that any final status agreement will only be achieved on the basis of mutually agreed changes that reflect these realities."

So the real issue is not past settlement activity but the demand for a settlement freeze. Is current and recent settlement construction creating insurmountable barriers to peace? A simple test shows that it is not. Ten years ago, in the Camp David talks, Prime Minister Ehud Barak offered Yasser Arafat approximately 94 percent of the West Bank, with a land swap to make up half of the 6 percent Israel would keep. According to news reports, just three months ago, Prime Minister Ehud Olmert offered 93 percent, with a one-to-one land swap. In the end, under the January 2009 offer, Palestinians would have received an area equal to 98 to 98.5 percent of the West Bank (depending on which press report you read), while 10 years ago they were offered 97 percent. Ten years of settlement activity would have resulted in a larger area for the Palestinian state.

How is this possible? For one thing, most settlement activity is in those major blocs that it is widely understood Israel will keep. For another,

those settlements are becoming more populated, not geographically larger. Most settlement expansion occurs in ways that do not much affect Palestinian life. While the physical expansion of settlements may take land that Palestinians own or use, and may interfere with Palestinian mobility or agricultural activity, population growth inside settlements does not have that effect. For the past five years, Israel's government has largely adhered to guidelines that were discussed with the United States but never formally adopted: that there would be no new settlements, no financial incentives for Israelis to move to settlements and no new construction except in already built-up areas. The clear purpose of the guidelines? To allow for settlement growth in ways that minimized the impact on Palestinians.

Israel has largely, but not fully, kept to those rules; there has been physical expansion in some places, and the Palestinian Authority is right to object to it. Israeli settlement expansion beyond the security fence, in areas Israel will ultimately evacuate, is a mistake: It wastes Israeli resources and needlessly antagonizes the Palestinians who live nearby. But the overall impact of such recent activity -- as Olmert's proposal to Abbas showed -- has not

undermined Israel's ability to negotiate peace and offer a territorial compromise.

Settlement activity is not diminishing the territory of a future Palestinian entity. In fact, the emphasis on a "settlement freeze" draws attention from the progress that's needed to lay the foundation for full Palestinian self-rule -- building a thriving economy, fighting terrorism through reliable security forces and establishing the rule of law. A "settlement freeze" would not help Palestinians face today's problems or prepare for tomorrow's challenges. The demand for a freeze would have only one quick effect: to create immediate tension between the United States and Israel's new government. That may be precisely why some propose it, but it is also why the Obama administration should reject it.

The writer, a senior fellow for Middle Eastern studies at the Council on Foreign Relations, was the deputy national security adviser overseeing Near East and North African affairs in the George W. Bush administration.

Ending Israel's conditional legitimacy

By Caroline Glick *The Jerusalem Post* **April 3, 2009**

In the chanceries of Europe, the die has apparently been cast. The time has come to launch an all-out diplomatic war against Israel. That is, the time has come to begin to unravel EU acceptance of Israel's right to exist.

Last Friday, in anticipation of the swearing in of the new Netanyahu government, EU foreign ministers met in Prague and discussed how they would stick it to the Jews.

According to media reports, the assembled ministers and diplomats decided that they will freeze the process of upgrading EU relations with Israel until Prime Minister Binyamin Netanyahu explicitly commits his government to establishing a Palestinian state and accepts that the only legitimate policy an Israeli government can have is the so-called "two-state solution."

Czech Foreign Minister Karel Schwarzenberg, whose country holds the rotating EU presidency, reportedly summed up the new approach saying, "There won't be any progress in relations between Israel and the European Union until the Israeli government clarifies its stance on the creation of a Palestinian state."

On an operational level, the assembled ministers and diplomats decided to cancel the Israel-EU summit now scheduled for late May until Israel has bowed to Europe's demand.

Europe's decision to launch a preemptive strike against the Netanyahu government even before it was sworn into office on Tuesday came against the

backdrop of its growing enthusiasm for opening formal ties with Hamas. As *The Jerusalem Post* reported on Thursday, Europe's diplomatic courtship of the Iranian-sponsored genocidal terror group is being spearheaded by Sweden and Switzerland. But they are far from alone.

Having authorized the opening of talks with Hizbullah, Britain, under Foreign Secretary David Miliband, has indicated support for a Hamas-dominated Hamas-Fatah "unity government" in the Palestinian Authority. France is reportedly using its involvement in the attempts to secure the release of Israeli hostage Gilad Schalit from his Hamas-controlled captors to advance its own bilateral ties to the jihadist group. At last Friday's meeting, Belgian Foreign Minister Karel De Gucht reportedly also called for Europe to open ties with Hamas.

In its move to isolate Israel - and indeed to treat the only free country in the Middle East as if it is morally and politically inferior to Hamas - the EU reportedly believes that it is acting in concert with the Obama administration.

Since entering office, and increasingly in recent weeks, the Obama administration has been both directly and indirectly signaling that it will adopt a hostile stance toward Netanyahu and his government. Unnamed Democratic congressional and administration sources have been warning Israel through the media that the administration does not accept the Israeli voters' right to set a new agenda for the incoming government that rejects the

Olmert-Livni government's subordination of Israel's national interests to the establishment of a Palestinian state.

The administration itself has stated through both White House and State Department spokesmen that it is completely committed to the swift establishment of a Palestinian state - regardless of Israel's position on the issue.

Other global policy-shapers have also weighed in. Former British prime minister and current Quartet Middle East mediator Tony Blair has been making daily statements warning of a breach with Israel if the Netanyahu government doesn't fall in line. On Wednesday, for instance, Blair threatened, "There is no alternative to a two-state solution, except the one-state solution. And if there is a one-state solution, there's going to be a big fight."

The Palestinians are enjoying the ride. Last Saturday, Fatah negotiator Saeb Erekat published an op-ed in *The Washington Post* where he portrayed Netanyahu as more radical than Hamas, and demanded that the US show that it is a true "honest broker" by treating Israel and Palestinian terrorists as moral, political and strategic equals.

Fatah leader Mahmoud Abbas has also piled on, announcing that he will boycott the Netanyahu government until it falls into line.

Perhaps the most noteworthy aspect of the international hysteria over the Netanyahu government is its timing. The calls for Israel's international isolation, the decision to treat Israel as a beyond-the-pale-pariah-nation far worse than Hamas, emerged even before the Netanyahu government was sworn into office. How did this foul state of affairs come about? Why is the Middle East's only democracy being treated worse than North Korea, Iran, Syria, Sudan, Hamas and Hizbullah?

The responsibility for this horrendous state of affairs belongs mainly with Netanyahu's predecessors - former prime minister Ehud Olmert and opposition leader Tzipi Livni. During their tenures in office, Olmert and Livni effectively embraced Israel's enemies' view that unlike the PLO and even Hamas, Israel has no independent right to exist. Indeed, not only did they accept that view, they turned it into the official policy of the government.

Around the time that prime minister Ariel Sharon was felled by a stroke in January 2006, Olmert and Livni began asserting that Israel's very legitimacy is dependent on the rapid establishment of a Palestinian state. For instance, in her speech at the Herzliya conference in January 2006, Livni stated outright that until and unless a Palestinian state is carved out of land currently controlled by Israel, the Jewish state cannot expect for the world to accept its right to exist. Olmert made this point explicitly in a series of media interviews in recent months.

Livni maintained her allegiance to the view that a Palestinian state is more legitimate than Israel when during coalition talks with Netanyahu she stipulated that like the EU and the PLO, she would only accept the legitimacy of the Netanyahu government, and so agree to serve in it, if it accepted the two-state paradigm.

To fully understand the significance of what Livni and Olmert have done, it is necessary to understand the source of the phrase "two-state solution."

The term was created by the PLO. When the PLO discussed the issue, the question under debate was not whether or not to build a Palestinian state, but whether or not to accept the existence of a Jewish state. That is, the debate over whether to accept a "one-state solution" or a "two-state solution" did not revolve around the establishment of a Palestinian state - which would exist no matter what. At issue was whether to accept the existence of Israel. For the Palestinians then, and for supporters of the two-state paradigm like Blair and his European and American cohorts, it is Israel's existence, not the existence of the Palestinian state, that is conditional.

Israel embarked on the road toward accepting the PLO's position when it accepted the legitimacy of the PLO with the launch of the Oslo peace process in 1993. The first time Israel explicitly and formally accepted the establishment of a Palestinian state, however, came only in 2004, with the Sharon government's qualified acceptance of the Middle East Quartet's so-called road map plan for the establishment of a Palestinian state.

That acceptance was not unconditional. As both the government's reservations and Sharon's repeated statements made clear, Israel would only accept the eventual establishment of a Palestinian state after the Palestinian Authority dismantled all terror groups operating in Palestinian society including its own Fatah terror groups. That is, for the Sharon government, it was the Palestinian state, not the Jewish state, whose legitimacy was contingent on its actions.

The innovation of the Olmert-Livni government was to discard this position. In November 2007, Olmert and Livni enthusiastically signed on to the Annapolis formula for Palestinian statehood, which itself was nothing more than a regurgitation of the PLO's position. Then-US secretary of state Condoleezza Rice extolled the Annapolis formula specifically because it removed the requirement that the Palestinians dismantle all terror groups operating in their territory before receiving statehood. That is, she applauded the fact that at Annapolis, the goal of fostering peaceful coexistence between the Palestinians and Israel was supplanted by the establishment of a Palestinian state as the aim of the so-called peace process.

By adopting the so-called the Annapolis "two-state" platform then, the Olmert-Livni government accepted the PLO's position that it is Israel, not the PLO and its sister terror groups, whose legitimacy is contingent on its behavior. It is not the PLO that needs to quit the terror business in order to be acceptable. Israel needs to accept the PLO - and for that matter Hamas - regardless of their behavior if it wishes for anyone to even consider recognizing it.

Due to the Olmert-Livni government's unconditional acceptance of the PLO's position, today conditional Israeli acceptance of the eventual establishment of a Palestinian state, along the lines of the Sharon government's conditional acceptance of the road map, is no longer sufficient. Now, as Europe, the US and regional actors are all making clear, Israel must accept that its own right to exist is contingent on the establishment of a Palestinian state - regardless of its character or the identity of the Palestinian leadership. That is, if Israel doesn't accept the legitimacy of a Hamas or Fatah-ruled Palestinian terror state in Judea, Samaria, Jerusalem and Gaza, then it has no right to exist.

This reality, of course, was made clear by the outcry that Foreign Minister Avigdor Lieberman's official denunciation of the Annapolis formula on Wednesday induced. Lieberman, after all, did not say anything particularly anti-Palestinian. Indeed, he made clear that the Netanyahu government remains

committed to the establishment of a Palestinian state.

All Lieberman said was that the Netanyahu government will not accept a Palestinian terror state. That is, all he said was that Israel's support for Palestinian statehood is contingent on Palestinian behavior. Additionally, Lieberman correctly pointed out that Israel's own international position has been harmed rather than advanced by its willingness to compromise its positions and accept those of its Palestinian adversaries.

What the outcry at Lieberman's remarks - from both Livni and her domestic supporters, and the international community - makes clear is that it will be exceedingly difficult for the Netanyahu government to walk away from the anti-Israel positions adopted by its immediate predecessor. But it also shows how urgently those positions need to be rejected.

For the past 16 years, from Israel's first acceptance of the PLO as a legitimate actor to Israel's acceptance of the PLO's position that it is the Jewish state rather than the Palestinian state whose legitimacy is conditional, Israel's international position has become ever more tenuous as prospects for peace have become ever more remote. The Netanyahu government was elected to put an end to this disastrous trend. It is heartening to see that straight out of the starting gate, it is working to accomplish this essential task.

Dark Days in Israel's Tech Sector Drive Rising Executive to the Exit

By Charles Levinson The Wall Street Journal April 8, 2009

Groomed in a secretive electronic-warfare unit in the Israeli army, Motti Avrahami went on to become a top executive at a software firm here in Israel's high-tech belt.

Just months ago, he was the classic Israeli high-tech success story. Today, he is collecting unemployment, tending to the fruit trees and rose bushes in his spacious yard, and preparing for a new career -- leasing cars.

"There's no future for me in high tech," said Mr. Avrahami, 36 years old.

His sudden change of fortune is part of a deepening slump hitting Israel's high-tech sector, which generates \$25.5 billion of annual sales in the nation's \$200 billion economy. The industry has churned out firewall security software now protecting many of the globe's biggest corporations, along with USB memory drives, which revolutionized data storage. And Israel boasts more Nasdaq-listed companies than any country besides the U.S. and China.

It is also a crucial driver for Israel's small, export-dominated economy, accounting for 47% of exports, according to the Israel Manufacturers Association. With buyers disappearing in Israel's biggest markets -- North America, Europe and Asia

-- the sector is suffering and some experts worry it could pull down the rest of the Israeli economy with it as high-tech companies and workers pull back on spending. In 2000, the bursting of the Internet bubble helped send the country into its worst recession since the early 1950s. The 2000 recession was short-lived, however, and by 2003 the economy had largely recovered.

Israel's central bank predicts the country's economy will shrink a moderate 1.5% in 2009. The Israeli government has announced a modest stimulus package to bolster demand and prop up bond markets. And the economy has shrugged off a war in Gaza and a political vacuum, as the country waits for the newly sworn-in government to announce its economic-recovery plan.

Israel's economy has held up better than most so far in the global downturn. Its banks appear to be sound. Stock-market and real-estate prices are down, but they haven't crashed like they have elsewhere.

But the high-tech sector's woes have many here worried that much more serious economic pain is right around the corner, once the full impact of declining demand for Israeli exports hits home. The high-tech industry employs 7% of country's work force, and some analysts say each high-tech worker

supports the jobs of six workers in other sectors. The government reported this month that 20,072 people were laid off in Israel in March, an all-time monthly record.

"People are still underestimating the damage being done to Israeli high tech and what this can mean for the whole economy," said Moshe Zviran, founder of a high-tech-focused consulting company and a professor at Tel Aviv University.

The government estimates nearly 8,000 high-tech workers, some 6% to 8% of the sector's work force, have been laid off since October. Companies announce job cuts almost every day.

As many as 10,000 more high-tech jobs will be cut this year, according to the IDC Research Co., a Boston-based, global high-tech research firm. Demand for Israeli high-tech exports has already dropped 10-15%, according to IDC.

If the slump continues too long, and the layoffs cut too deep, Mr. Zviran worries that the country's leading engineers and innovators won't return. Israel could emerge from today's global slump with its technological edge blunted, he said.

Laid-off high-tech workers are already seeking work elsewhere. The Ministry of Education has begun a program providing teaching jobs for unemployed university graduates. Of the 2,200 people who have registered so far, 1,200 are from the high-tech sector, according to ministry spokeswoman Hagit Cohen.

The sector has been a source of pride for a country often associated with conflict and war. It has fostered an internationally recognized pool of entrepreneurs, research-and-development whiz kids, and government funding and private-venture capital to harness all that talent.

Israel even has its chief scientist, who doled out some \$250 million last year in research and development grants to promising Israel start-ups.

"A young Israeli dreaming of making it big looks to high tech," said Eytan Avriel, editor of Israel's leading economics journal.

Mr. Avrahami typified the Israeli technology highflier. After military service, he enrolled at Haifa's prestigious Technion technology institute, and then landed a job with Silicon Valley-based VeriFone Holdings Inc.

In 2007, he was made vice president at a young software-testing company based in Israel's high-tech belt, north of Tel Aviv. Clients included Hewlett-Packard Co., Microsoft Corp., General Electric Co. and Texas Instruments Inc.

Mr. Avrahami bought a house in a leafy, well-to-do community outside Tel Aviv. He decorated with stylish furniture, art and a 42-inch plasma television with surround sound.

In September, with his wife seven months pregnant with their second child, the first signs of trouble emerged. Smaller clients started canceling contracts as they cut down on outsourcing costs. By December, the largest clients had all canceled, too.

"There was no problem with our company or our product. It was a problem with the customers," Mr. Avrahami said.

Faced with a 50% pay cut, he considered starting his own software-testing business. But capital-raising among start-ups in Israel has fallen off a cliff in recent months.

So, he changed careers. Next month, he begins classes at Cal Auto College and intends to get into the car-leasing business.

Jitters over expected Israeli air attack

By Arnaud de Borchgrave The Washington Times April 17, 2009

Gulf Cooperation Council (GCC) members - Saudi Arabia, Kuwait, Qatar, Bahrain, the United Arab Emirates and Oman - are getting ready for what many now assume will be retaliation from Iran after an Israeli bombing of Iran's nuclear facilities later this year.

Up and down the Gulf, Patriot missile batteries have been quietly deployed around key oil installations. The Patriot system is designed to detect, target and hit incoming missiles that may be no more than 10 to 20 feet long and flying at three to five times the speed of sound. Iran has hundreds of missiles and rockets.

There is also a steady traffic in and out of Washington of high-ranking GCC military and defense officials, including Army, Air Force and Navy chiefs. Gulf rulers are fearful Israel's new government - headed by the tough, uncompromising Prime Minister Benjamin Netanyahu - will walk away

from any possibility of a Palestinian solution. Foreign Minister Avigdor Lieberman said as much when he it made clear that "we are no longer bound by the previous government's undertakings for the negotiation of a Palestinian state."

The Annapolis accord of 2007 for a two-state solution? Didn't happen on our watch, said Israel's new governing team. Mr. Lieberman even wants to strip any rights from Arab Israelis who are disloyal to the Jewish state.

Undeterred, George Mitchell, the new supernegotiator for a Middle East settlement, went back to the region for the third time since Barack Obama became president. He sees a glimmer of hope for a peace deal with Syria that would detach the ruling dictatorship from its close ties with Iran. However, a Netanyahu government in Israel is not about to give up control of the Golan Heights it has occupied since the 1967 Six-Day War.

While Iran may unclench its fist in words, as President Obama unclenched America's, no one in Israel, and very few in other countries, believe Iran's theocrats will relinquish the nuclear ambitions they have been working on secretly for the last quarter century. Mr. Netanyahu echoed nearly unanimous Israeli feelings when he said an Iranian bomb, coupled with President Mahmoud Ahmadinejad's threats of destruction against the Jewish state, is an "existential crisis" that Israel cannot and will not ignore.

Israel's moderate President Shimon Peres added a stern warning. If forthcoming talks with Iran don't yield results, he admonished, "We'll strike." But, he added, this cannot be done without the United States. Israel's military intelligence chief Amos Yadlin told the Knesset's foreign-affairs and defense committee that the emergence of a nuclear arsenal in Iran is now "mainly dependent on a political decision."

The assumption among most GCC rulers is that Israel will launch bombers against some of Iran's 27 nuclear sites as soon as it becomes clear the mullahs won't agree to surrender their nuclear option at upcoming six-power talks. The United States and Iran will be at the same negotiating table - along with China, Russia, Britain, France and Germany - for the first time since the Iranian revolution ousted the late shah 30 years ago.

Iran's next presidential elections are scheduled for June 14, when Mr. Ahmadinejad may lose the presidency to a candidate judged by Western powers to be comparatively moderate. However, the latest word from Iran-watchers is that the supreme religious leader, Ayatollah Ali Khamenei, favors the re-election of his extremist protegee. This would be another green light for the Netanyahu coalition government to order an attack.

Interestingly enough, not all the ruling Sunni families in the Gulf are against an Israeli attempt to disrupt Iran's nuclear plans. Most feel threatened by nukes in the hands of a Shi'ite clerical regime that dreams of dominating the Gulf, as the shah once did when Britain in 1968 gave up all its commitments east of Suez.

In 1971, the shah seized three strategic islands near the Strait of Hormuz - Abu Musa and the Greater and Lesser Tunbs - that Britain had entrusted to the ruler of Abu Dhabi. The mullahs

refused to return them - and then militarized them with naval guns.

There is plenty of tinder up and down the Gulf for a major conflagration throughout the region if Israel strikes Iran. The mullahs, with their Revolutionary Guards and far-flung intelligence services, possess formidable asymmetrical retaliatory capabilities. They also have at their subversive disposal Hezbollah in Lebanon and Hamas in Gaza, coupled with a growing influence in the West Bank.

Morocco recently severed diplomatic relations with Iran after its agents were caught proselytizing against Sunni Islam and King Mohammed VI.

Dubai, one of the seven emirates in the UAE, has 400,000 Iranian residents - including scores of undercover agents. Saudi Arabia's eastern province - where most its oil fields are located, as well as the world's largest offshore oil terminal at Ras Tanura and the kingdom's oil nerve center at Abqaiq - also has a large Shi'ite minority. And in the kingdom of Bahrain, headquarters for the U.S. 5th Fleet, a majority of the population is Shi'ite and subject to frequent agitation against the ruling Sunni family.

Qatar, which now enjoys the world's highest standard of living with a per capita income of \$78,000, straddles the Gulf fence with both ears to the ground, a somewhat ungainly posture, but deemed far more secure. The firebrand satellite television station Al Jazeera was created by Qatar's ruling Al Thani family and is headquartered in Doha, the capital.

But the United States also was authorized to build a base in Qatar with one of the world's longest military runways. Qatar is forward headquarters for the Tampa-based Central Command headed by Gen. David H. Petraeus.

For the last 15 years, the charismatic Sheikha Mozah, the Qatari Emir's wife, spearheaded an educational drive that led several leading U.S. universities to establish branches in Qatar.

If attacked, Iran - a neighbor of Iraq - could also jeopardize an orderly U.S. military exit from Iraq in 2010. The two countries fought an eight-year war (1980-88) that killed about 1 million soldiers from both countries. Iran is influential in the western region of Afghanistan.

Oman, which faces Iran across the Strait of Hormuz, has always made good relations with Iran a top priority. But the prudent Omanis also have the Gulf's best internal security system.

Israel's Election System is No Good

By Bernard Lewis The Wall Street Journal

An Anglo-American constituency model would facilitate accountable government.

On Feb. 10, Israel elected a new Knesset (or parliament) -- the 18th since the establishment of the state in May 1948. Like its predecessors, it consists

April 1, 2009

of a hodgepodge of 12 different parties. The two largest parties, Kadima and Likud, won 23% and 21% of the vote, giving them 28 and 27 seats respectively -- a long way short of a majority. For seven weeks, neither was able to create a viable

coalition to take over the government of the country. At last, a coalition government led by Likud leader Benjamin Netanyahu has emerged.

In a sense, the creation of any sort of working democracy in Israel is a remarkable achievement. Since its creation, the country has been engaged in a life-and-death struggle with relentless enemies. It exists in a region where democracy hasn't flourished, and most of its citizens originate in countries with little or no experience of democratic government. Despite all of this, there has been no attempt at a military takeover or any kind of coup d'état -- not even a constitutional crisis.

But it is becoming increasingly clear that electoral reform of some kind is imperative if Israeli democracy is to survive. The latest election reveals in an acute form the gaping inadequacies and, worse still, the looming dangers of the existing electoral process and the resulting political structure: indecisive, splintered and at times corrupt.

Electoral reform has been discussed before and was even attempted in 1992 when the Knesset introduced a new law providing for the direct election of the prime minister. I remarked at the time, in the course of a lecture in Jerusalem, that Israel already had the worst electoral system in the Free World and had succeeded, with true Jewish ingenuity, in doing something I wouldn't have thought possible: finding a way to make it even worse. My audience reacted with thunderous applause. That pseudo-reform was abandoned in March 2001; the need to establish a workable electoral system able to function effectively remains.

The present system is usually described as "nationwide proportional representation." That is to say, the whole country is a single constituency, in which parties -- not individuals -- compete. Each party has its own list of members, and each has its own way of assembling and arranging that list. The presidency, like the British monarchy on which it is apparently modeled, is primarily symbolic. The head of government is the prime minister; he and his cabinet are all members of the Knesset, where they must command a majority of votes in order to govern or even survive. The threshold for admission to the Knesset -- which consists of 120 members -- is just 2% of the total vote. The result is that parliamentary representation, and with it a measure of political influence, at times even of control, is given to various special interest groups, which in a

normal constituency system would never succeed in electing a single member.

This system of voting by lists is the source of many of the difficulties which plague Israeli public life. In the English-speaking countries -- the oldest and most stable democracies -- voting is by constituencies. The founders of the state of Israel preferred the Weimar model -- hardly an auspicious choice. Voting by lists of this kind has several harmful consequences. First, it gives undue power to relatively minor groups. They can play a crucial role in the formation and survival of coalitions. This is not a healthy way to form or end governments, or to formulate and conduct policies. It is surely significant that of all the parliaments elected since the establishment of the state, only one survived to the end of the four-year term provided by the law. All the others were broken up by internal disputes within the coalitions.

A significant disadvantage of the present system is that there is no direct relationship between the elected members and the electors. In the Anglo-American system, every member is directly answerable to the people of the place he represents. They watch their member's actions, and vote accordingly in the next election.

In the Israeli system, the member is only responsible to the party leadership or, worse still, to the party bureaucracy. His success or failure in the election depends less on the will of the electorate than on the place assigned to him in the party list. This is not a healthy system, and it can only encourage the corruption about which so many Israelis complain today. The Knesset would improve dramatically in quality and experience if its members, including the members of the government, were obliged to fight and win their own election and re-election by the electorate.

Reforming this system would not be easy, and the small splinter parties which benefit from the existing system would resist any attempt to change it. But change is a shared interest of the major groups and of the nation. One can only hope that while they may disagree about everything else, they would agree on this.

Mr. Lewis, professor emeritus at Princeton, is the author of "From Babel to Dragomans: Interpreting the Middle East" (Oxford University Press, 2004).

The editors of the Israel newsletter hope that their readers had a wonderful and meaningful Passover (or Easter) Holiday. You can all finally enjoy our newsletter number 400!!!

If anyone would like to receive this newsletter by a weekly e-mail, please drop us a line at sheldonb@rsfchart.com and we will be glad to add you to our growing list of subscribers. All of the newsletter archives can be found on the Suburban Orthodox webpage (Israel Action section) at <http://www.suburbanorthodox.org/israel-action.php>.

Please join in welcoming Herb Keinon of the Jerusalem Post who will be speaking at Suburban Orthodox, 7504 Seven Mile Lane in Pikesville, on Sunday April 26 at 7:30 pm.