

America's exceptional ally

By Caroline Glick The Jerusalem Post September 10, 2009

There has been much talk in recent months about the prospect of Syria bolting the Iranian axis and becoming magically transformed into an ally of the West. Although Syria's President-for-life Bashar Assad's daily demonstrations of fealty to his murderous friends has exposed this talk as nothing more than fantasy, it continues to dominate the international discourse on Syria.

In the meantime, Syria's ongoing real transformation, from a more or less functioning state into an impoverished wasteland, has been ignored.

Today, the country faces the greatest economic catastrophe in its history. The crisis is causing massive malnutrition and displacement for hundreds of thousands of Syrians. These Syrians - some 250,000 mainly Kurdish farmers - have been forced off their farms over the past two years because their lands were reclaimed by the desert.

Today shantytowns have sprung up around major cities such as Damascus. They are filled with internally displaced refugees. Through a cataclysmic combination of irrational agricultural policies embraced by the Ba'athist Assad dynasty for the past 45 years that have eroded the soil, and massive digging of some 420,000 unauthorized wells that have dried out the groundwater aquifers, Syria's regime has done everything in its power to dry up the country. The effects of these demented policies have been exacerbated in recent years by Turkey's diversion of Syria's main water source, the Euphrates River, through the construction of dams upstream, and by two years of unrelenting drought. Today, much of Syria's previously fertile farmland has become wasteland. Former farmers are now destitute day laborers with few prospects for economic recovery.

Imagine if in his country's moment of peril, instead of clinging to his alliance with Iran, Hizbullah, al-Qaida, and Hamas, Assad were to turn to Israel to help him out of this crisis?

Israel is a world leader in water desalination and recycling. The largest desalination plant in the world is located in Ashkelon. Israeli technology and engineers could help Syria rebuild its water supply.

Israel could also help Syria use whatever water it still has, or is able to produce through desalination and recycling more wisely through drip irrigation - which was invented in Israel. Israel today supplies 50 percent of the international market for drip

irrigation. In places like Syria and southern Iraq that are now being dried out by the Turkish dams, irrigation is primitive - often involving nothing more than water trucks pumping water out of the Euphrates and driving it over to fields that are often less than a kilometer away.

Then there are Syria's dwindling oil reserves. No doubt, Israeli engineers and seismologists would be able to increase the efficiency and productivity of existing wells and so increase their output. It is certainly not beyond the realm of possibility that Israeli scientists and engineers could even discover new, untapped oil reserves.

But, of course, Syria isn't interested in Israel's help. Syria wants to have its enemy and eat it too. As Assad has made clear repeatedly, what he wants is to receive the Golan Heights - and through it Israel's fresh water supply - for nothing. He wants Israel to surrender the Golan Heights, plus some Israeli land Syria illegally occupied from 1948-1967, in exchange for a meaningless piece of paper.

In this demand, Assad is supported by none other than Turkish Prime Minister Recep Erdogan, whose country is drying Syria out. It is Erdogan after all, who mediated talks aimed at convincing then-prime minister Ehud Olmert to give up the Golan Heights and it is Erdogan today who is encouraging the Obama administration to pressure Israel to surrender its water to Syria.

Beyond demanding that Israel give him the Golan Heights, Assad is happy associating with Mahmoud Ahmadinejad, Hassan Nasrallah, Khaled Mashaal and various and sundry al-Qaida leaders who move freely through his territory. Hanging out with these murderers affords him the opportunity to feel like a real man - a master of the universe who can kill Israelis, Iraqis and Americans and terrorize the Lebanese into submission.

As for his problems at home, Assad imprisons any Syrian engineer with the temerity to point out that by exporting cotton Syria is effectively exporting water. Assad doesn't fear that his regime will collapse under the weight of five decades of Ba'athist economic imbecility. He is banking on the US and Europe saving him from the consequences of his own incompetence through economic handouts; by turning a blind eye to his continued economic exploitation of Lebanon; and perhaps by coercing Israel into surrendering the Golan Heights.

The same, of course, can be said of the Palestinians. Actually, the case of the Palestinians is even more extraordinary. From 1967 through 1987 - when through their violent uprising they decided to cut their economy off from Israel's - Palestinian economic growth in Gaza, Judea and Samaria rose by double digits every year. Indeed, while linked to Israel's, the Palestinian economy was the fourth fastest growing economy in the world. But since 1994, when the PLO took over, although the Palestinians have become the largest per capita foreign aid recipients in recorded history, the Palestinian economy has contracted on a per capita basis.

The one sure-fire path to economic growth and prosperity is for the Palestinians to reintegrate their economy with Israel's. But to do this, they must first end their involvement in terrorism and open their economy to free market forces and the transparency and rule of law and protection for property rights that form the foundations of those forces. The very notion of doing so, however, is considered so radical that supposedly moderate, pro-peace and free market friendly Palestinian Prime Minister Salaam Fayad rejected the economic peace plan put forward by Prime Minister Binyamin Netanyahu out of hand. After all, how can the Palestinians accept free market forces when it means that - horror of horrors - Jews might buy and sell land and other resources?

The Palestinians and the Syrians are not alone. From Egypt to Saudi Arabia to Pakistan and Indonesia, the Arab and Muslim world has preferred poverty and economic backwardness to the prosperity that would come from engaging Israel. They prefer their staunch rejection of Israel and hatred of Jews and the economic stagnation this involves to the prosperity and political freedom and stability that would come from an acceptance of Israel.

As American economic and technology guru George Gilder puts it in his new book *The Israel Test*, "The test of a culture is what it accomplishes in advancing the human cause - what it creates rather than what it claims."

Gilder's book is a unique and necessary contribution to the current international debate about the Middle East. Rather than concentrate solely on Arab claims from Israel as most writers do, Gilder turns his attention to what the nations of the region create. Specifically, he shows that only Israel creates wealth through creativity and innovation and that today Israel is contributing more to the human cause through its scientific, technological and financial advances than any other country in the world except the US.

The *Israel Test* describes in riveting detail both the massive contributions of mainly Diaspora Jews to the US victories in World War II and the Cold

War and to the scientific revolutions of the 20th century that set the foundations for the computer age, and the massive contributions of Israeli Jews to the digital revolution that defines and shapes our economic realities today.

But before Gilder begins to describe these great Jewish contributions to the global economy and the general well-being of people around the world, he asserts that the future of the world will be determined by its treatment of Israel. As he puts it, "The central issue in international politics, dividing the world into two fractious armies, is the tiny state of Israel."

In his view, "Israel defines a line of demarcation," between those who pass and those who fail what he refers to as "the Israel test."

Gilder poses the test to his readers by asking them a few questions: "What is your attitude toward people who excel you in the creation of wealth or in other accomplishment? Do you aspire to their excellence, or do you seethe at it? Do you admire and celebrate exceptional achievement or do you impugn it and seek to tear it down?"

By his telling, the future of civilization will be determined by how the nations of the world - and particularly, how the American people - answer these questions.

Gilder's book is valuable on its own accord. I personally learned an enormous amount about Israel's pioneering role in the information economy. Beyond that, it provides a stunning rebuttal to the central arguments of the other major book that has been written about Israel and the Arabs in the US in recent years.

Steve Walt and John Mearshimer's *The Israel Lobby* has two central arguments. First, they argue that Israel has little value as an ally to the US. Second, they assert that given Israel's worthlessness to the US, the only reasonable explanation of why Americans overwhelmingly support Israel is that they have been manipulated by a conspiracy of Jewish organizations and Jewish-owned and controlled media and financial outlets. In their view, the nefarious Jewish-controlled forces have bamboozled the American people into believing that Israel is important to them and even a kindred nation to the US.

Gilder blows both arguments out of the water without even directly engaging them or noting Israel's singular contributions to US intelligence and military prowess. Instead, he demonstrates that Israel is an indispensable motor for the US economy, which in turn is the principal driver of US power globally. Much of Silicon Valley's economic prowess is founded on technologies made in Israel. Everything from the microchip to the cellphone has either been made in Israel or by Israelis in Silicon Valley.

It is Gilder's own admiration for Israel's exceptional achievements that puts paid Walt and Mearshimer's second argument. There is something distinctively American in his enthusiasm for Israel's innovative genius. From America's earliest beginnings, the American character has been imbued with an admiration for achievement. As a nation, Americans have always passed Gilder's Israel test.

Taken together with the other reasons for American support for Israel - particularly religious affinity for the people of the Bible - Gilder's book shows that the American and Israeli people are indeed natural friends and allies bound together by their exceptionalism that motivates them to strive

for excellence and progress to the benefit of all mankind.

Today Americans commemorate the eighth anniversary of the September 11 attacks. Those attacks were the greatest confrontation to date between American exceptionalism and Islamist nihilism. On this day, Gilder's book serves as a reminder of what makes the US and its exceptional ally Israel worth defending at all costs. The Israel Test also teaches us that so long as we keep faith with ourselves, we will not be alone in our fight against barbarism and hatred, and inevitably, we will emerge the victors in this bitter fight.

Israel's Gaza Vindication

By Jackson Diehl The Washington Post

When it was launched last December, Israel's invasion of the Gaza Strip looked to most people in Washington to be risky, counterproductive and doomed to futility. Not only pundits like me but senior officials of the Bush administration predicted that the Israeli army would not succeed either in toppling Gaza's Hamas government or in eliminating its capacity to launch missiles at Israeli cities. Instead it would subject the Jewish state to another tidal wave of international opprobrium and risk its relations with West Bank Palestinians and Egypt.

Mostly, we were right. But today, Operation Cast Lead, as the three-week operation is known in Israel, is generally regarded by the country's military and political elite as a success. The reasons for that are worth examining now that a new and even more hawkish Israeli government is weighing whether to flout Washington's prevailing opposition to a military attack on Iran.

Israel's satisfaction starts with a simple set of facts. Between April 2001 and the end of 2008, 4,246 rockets and 4,180 mortar shells were fired into Israel from Gaza, killing 14 Israelis, wounding more than 400 and making life in southern Israel intolerable. During what was supposed to be a cease-fire during the last half of 2008, 362 rockets and shells landed. Meanwhile, between late 2000 and the end of 2008, Israeli forces killed some 3,000 Gazans.

Since April there have been just over two dozen rocket and mortar strikes -- or less than on many single days before the war. No one has been seriously injured, and life in the Israeli town of Sderot and the area around it has returned almost to normal. Israeli attacks in Gaza have almost ceased, too: Since the end of the mini-war, 29 Palestinians, two of whom were civilians, have been killed by Israeli action.

Hamas, of course, remains in power and unmoved in its refusal to recognize Israel. It is still holding an Israeli soldier who was abducted in 2006. It is still smuggling material for weapons through

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tunnels under the Egyptian border and, if it chose to, could resume rocket attacks on Israel at any time.

The point, however, is that Israel has bought itself a stretch of relative peace with Hamas, just as its costly 2006 invasion of Lebanon has produced three years of quiet on that front. From the Israeli perspective, a respite from conflict is the most that can be expected from either group -- or from their mutual sponsor, Iran.

"They will never change their ideology of destroying Israel," a senior government official told me last week. "But you can deter them if they are convinced you are not afraid of fighting a war."

But what of the grievous Palestinian suffering in the invasion -- Israel itself counted 1,166 dead Gazans, including more than 450 civilians -- and the international backlash that has caused? Just last week a U.N. commission headed by South African jurist Richard Goldstone condemned what it called "a deliberately disproportionate attack designed to punish, humiliate and terrorize a civilian population," and suggested that responsible Israelis be hauled before the International Criminal Court on war crimes charges.

Israel's leaders worried a lot about losing the war that way. But as they see it, they suffered only scratches. Egypt, which quietly collaborates with Israel's blockade of Gaza, came under pressure to change its policy but held firm. No Arab country toughened its stance toward Israel: According to the Obama administration, as many as five may be willing to offer diplomatic and economic concessions if Israel freezes its West Bank settlement construction.

Perhaps most significant, Hamas's rival for Palestinian leadership, the West Bank-based Palestinian Authority, is considerably stronger than it was before the war. Probably it will renew peace talks with Israel within weeks. As for the Goldstone report, the heat it briefly produced last week will quickly dissipate; the panel was discredited from the

outset because of its appointment by the grotesquely politicized U.N. Human Rights Council.

The Gaza invasion was the second military operation Israel embarked on in less than 18 months despite disapproval from Washington. The other was its bombing of a nuclear reactor under construction in Syria in September 2007. Then, too, officials in Washington feared a dire diplomatic backlash or even a war between Israel and Syria. Nothing happened.

Listen Up: The arrogance of the advice-givers

By Barry Rubin *The New Republic* September 11, 2009

One remarkable thing about watching the Middle East is how what's celebrated as brilliant in Europe or America is errant nonsense.

Writing such stuff makes people successful and gives them an audience of millions. What they say is so ridiculous that one wants to laugh, yet so totally accepted as true in Washington and European capitals that the laughter would be laughed at.

The article to which I refer is by Jacob Weisberg in the June 22 Newsweek, entitled, "A Friend in Need: Barack gets tough on Bibi." [1] It is far more terrible because Weisberg is neither leftist nor anti-Israel but has simply imbibed what "everyone says."

Let me quickly add that while I don't know Weisberg personally, I'm confident in saying he has no serious training in the Middle East, speaks neither Arabic nor Hebrew, spends little time researching the region, and has no real qualification for making the judgments he does. Here's the theme: Israelis are so stupid about their country, situation, and region on the life-and-death issues which they have been dealing with for decades that they must be saved in spite of themselves by people who have no knowledge or experience on any of these things. No other country in the world is so frequently told this kind of thing which I hear all the time from Europeans, too.

Is it so hard to comprehend that our views and behavior are based on years of experience and study? That we know best how to save ourselves and have been doing a far better job of it, against tremendous odds and unhelpful kibbitzers, than many others? That heeding their prescriptions would be disastrous, in fact have already proven so? After all, the tragic history of the last 20 years has largely resulted from listening to the same advice he gives now.

When one tries to explain these things in conversations, however, you can see their eyes go blank and their ears close up.

Weisberg's article follows this pattern. The United States, he says (and these are main elements in the rhetoric among supporters of the Obama administration and several European governments) must show Israel "tough love," lean "harder on Jews

As they quietly debate the pros and cons of launching a military attack on Iran's nuclear facilities, Israel's political and military leaders no doubt will be thinking about that history. That doesn't mean they will discount American objections -- Iran would be a far harder and more complex target, with direct repercussions for U.S. troops and critical interests in the region. But, as with Gaza, even a partial and short-term reversal of the Iranian nuclear program may look to Israelis like a reasonable benefit -- and the potential blowback overblown.

and the Arabs to get serious about a deal," and stop "fostering Israeli illusions that there [is] an alternative to trading land for peace."

All three of these arguments are based on false premises.

Tough love: This derives from the late 1980s and early 1990s when the left side of the Israeli spectrum was pushing the land-for-peace and negotiate with the PLO arguments against their rivals on the right. A little U.S. pressure, they argued, would help get talks going.

A lot has happened since then, however, notably the 1992-2000 Oslo process. This proved to the vast majority of Israelis that the Palestinian leadership (and Syria, too, for that matter) wasn't ready or interested in peace. Disillusioned, a lot of these people supported Ariel Sharon and the disengagement from the Gaza Strip, the results of which (Hamas takeover, rocket fire) made them even more disenchanted.

That's why the Labour party which invented the land-for-peace argument in the first place and made the Oslo agreement and offered a two-state solution in 2000 is now in a coalition government with the Likud party. Prime Minister Benjamin Netanyahu is not a "right-wing" or "hard-line" leader but someone who speaks for the national consensus, a consensus based on education through painful, bloody experience.

Israel also faces a more hostile Europe, an Iran racing toward nuclear weapons, an intransigent and incompetent Palestinian Authority, plus Hamas and Hizballah.

Today the last thing Israelis need or want is pressure to make more concessions to the Palestinians. They've already made a lot; these didn't lead anywhere good. What Israel needs today is not "tough love" but real support.

Push "harder on Jews and the Arabs to get serious about a deal": The false assumption here is that getting an agreement, any agreement, is a desperate need of the two sides and of the region as a whole.

In fact, Israel is doing very well without any comprehensive peace agreement. The economy is doing fine; morale is high; security improved. Moreover, this concept pays no attention to the idea that a deal can be a bad one, inherently instable and leading to more violence.

It never enters the minds of these people that a "peace" agreement that was broken or had dangerous provisions (giving up strategic territory; east Jerusalem; empowering a radical regime in a next-door Palestinian state; opening the door to foreign Arab or Iranian armies entering; bringing in millions of Palestinian Arabs to Israel) could leave Israel far worse off.

As for the Palestinian leadership, far from being desperate for a deal it is desperate to avoid one on anything other than its own unrealistic terms.

Stop "fostering Israeli illusions that there [is] an alternative to trading land for peace." This one makes me laugh. Everyone in Israel knows that there can be no comprehensive agreement without trading land for peace. The question is, however, whether any comprehensive agreement on decent terms is possible at this time.

In addition, the question is also which land. Israel has focused on three to five percent of the

West Bank that is strategically important and has large concentrations of Israeli population.

Finally, if someone doesn't understand that the barrier to peace is the Palestinians and not Israel, any advice they give Israel is going to be worthless.

As for those giving advice, here's what we've seen in the last six months from those who want to "save" others by imposing their own vision:

--The idea that stopping construction on Jewish settlements would bring some Arab concession has already proven wrong.

--The idea that engagement with Iran would work has already proven wrong.

--The idea that the United States could successfully engage Syria in a set of mutual compromises has already proven wrong.

--The idea that an Obama charm offensive would bring higher levels of Arab support has already proven wrong. And that's just in six months!

Let's have a little humility and readiness to listen, please, from those who would play with the lives of other people.

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Syria makes overture to U.S.

By Richard Sale The Washington Times

Syria is reorganizing its foreign intelligence operations and sidelining officials with unsavory pasts in an effort by President Bashar al-Assad to consolidate control and improve Syria's relations with the United States, Middle East specialists and former and current U.S. officials say.

Richard Norton, a Levant specialist at Boston University, former CIA counterterrorism chief Vincent Cannistraro and two serving U.S. intelligence officials who asked not to be named because they are not authorized to talk to the press told The Washington Times that the task of overseeing Syria's foreign intelligence operations has been transferred from the heavy-handed military intelligence agency, known as the Mukhabarat, to Syria's General Intelligence Agency (GI), which formerly handled domestic matters and now oversees relations with the United States and Saudi Arabia.

The GI is headed by Gen. Ali Mamluk, who is advised by Samir al Taqi, a former legislator, the sources said. Mr. al Taqi runs the Al-Sharq Center for International Relations in Damascus and is associated with the Center for Syrian Studies at St. Andrews University in Scotland.

The intelligence shakeup began in February and continues. Mr. Cannistraro said much of the pressure for the transfer "came from the Saudis,"

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who have been furious with Syria since the 2005 assassination in Lebanon of former Lebanese Prime Minister Rafik Hariri, a Saudi ally. Syria is suspected of involvement in the killing but has denied responsibility.

Mr. Norton added that the change was made by Syria to avoid "queering its current dialogue with the United States."

In general, the functions of Syrian military intelligence appear to have narrowed to providing assistance to the U.N. special tribunal investigating the Hariri murder and seeking to shield the Assad regime from blame.

Gen. Assef Shawkat, Mr. Assad's brother-in-law and the former head of Syrian military intelligence, who is rumored to have been involved in the Hariri killing, has been assigned to assist Maj. Gen. Arnine Charabi, chief of the Palestine section, who is working with British law firms to develop a scenario of the crime aimed at exonerating Syria from responsibility, according to the two serving U.S. intelligence officials.

There have been reports that Mr. Shawkat's family, including Mr. Assad's sister, Bushra, has been exiled to a Persian Gulf country and much of the family's property has been seized. However, one of the U.S. officials said this was disinformation.

Joshua Landis, a Syria specialist at the University of Oklahoma, said, "Shawkat is not out of the intelligence business."

The shakeup appears to be an attempt by Mr. Assad to further consolidate his power internally.

"We're talking about a changing of the guard, being done quite gradually in terms of political consistency," said one of the serving U.S. officials. "It's a transition of power - a slow process of putting people who are loyal to him, walking away from the old military elements of his father and relying on a civilian component instead."

Mr. Norton agreed.

"What Bashar is doing is sidelining the old Ba'athist guard in military intelligence and replacing them with civilians loyal to himself," Mr. Norton said.

Mr. Norton added that the changes are part of the president's efforts to consolidate Syria's key governing institutions under his direct control and that this was evidence that at least some of Mr. Assad's inner circle consists of "reformist, smart, street-wise young technocrats" who want better relations with the West.

President Obama, who has assigned a high priority to advancing an Arab-Israeli peace agreement, has sought to improve relations with Syria in order to move the process forward.

Yet the U.S. has not yet named a new ambassador to Damascus despite earlier pledges to do so, and the administration still objects to Syrian support for Hezbollah, a Lebanese militant group and political party that is also backed by Iran.

In Lebanon, the administration is disappointed that months have gone by without formation of a new government despite the election victory of a pro-Western alliance. Yet Mr. Norton said he had not detected any "Syrian string-pulling" in the Lebanese elections in which the pro-West coalition beat an alliance led by Hezbollah.

Mr. Norton also said Syria is loosening its grip on Hezbollah.

"Hezbollah has obtained a degree of autonomy and is no longer a Syrian client," Mr. Norton said, adding: "Syria is no longer obtrusive in Lebanese politics and no longer is pulling the strings when it comes to Hezbollah."

Many remain skeptical of Syrian good will

David Schenker, a Levant expert at The Washington Institute for Near East Policy, said, "Syria runs hot and cold. When they are interested in improving relations or pleasing us, they toss us a bone or they look to protect their flank."

He said that the day after the Hariri murder, Syrian intelligence delivered a high-value target to U.S. operatives in the hope of deflecting popular outrage at Syria's alleged responsibility for the murder.

"It's pretty typical," he said.

According to Mr. Cannistraro, "Syria has tried to cooperate with the United States in intelligence matters, only to be either snubbed or ignored" on occasion. He said Syria in 2003 offered to station U.S. forces on its soil before the Iraq war, and the Syrians opened their intelligence books, which identify assets in Europe, including front companies, in an attempt to track down al Qaeda members.

Mr. Cannistraro added that Syria "has given us invaluable help in hunting down members of al Qaeda, and they were instrumental in ex-filtrating some major Iraqi fugitives back to Baghdad after the 2003 war."

Two former U.S. intelligence officials said Syria cooperated with the United States last year in an attack that killed Abu Ghadiyah, a former lieutenant of the infamous Abu Musab Zarqawi, the late al Qaeda leader in Iraq. He was killed along with eight civilians near Abu Kamal about five miles inside Syria, foiling a planned attack on Iraqi civilians, according to the former U.S. officials. They spoke on condition that they not be named because they were discussing sensitive information.

The CIA would not confirm the account.

"We do not, as a rule - despite the inaccuracies that sometimes appear - comment on reports of relationships with foreign intelligence organizations," said a CIA spokeswoman, Marie Harf.

U.S. officials say Syria still permits some Arab suicide bombers to transit into Iraq and controls much of Lebanon's economy by means of counterfeiting, money laundering and drug trafficking.

"Those things are endemic to the way Lebanon is run," said former CIA official Judith Yaphe. All sides of every political persuasion take part."

Behind the scenes, according to Mr. Norton and Mr. Landis, however, U.S.-Syria relations are improving slowly.

Representatives of U.S. Central Command recently visited Damascus, followed by another U.S. military delegation that discussed border security and increased intelligence-sharing. According to Mr. Landis, Syria and Washington are also talking about easing U.S. sanctions against Syria.

Mr. Landis cautioned, however, that while there are people in Mr. Assad's inner circle who want closer ties with the United States, "the Syrians don't think that Obama can change the Middle East. Intelligence-sharing is good, and dialogue is constructive, but we will keep trying to force them out of Lebanon and killing Hezbollah, and Damascus will hang on to Iran and its ties to Hamas and Hezbollah, and Israel will cling to the Golan."

In other words, all of this "could go nowhere," he said.

Israel and the Trouble With International Law

By Paul H. Robinson The Wall Street Journal September 22, 2009

Many restrictions on the use of force against aggressors make no moral sense. Last week the United Nations issued a report painting the Israelis as major violators of international law in the three-week Gaza war that began in December 2008. While many find the conclusion a bit unsettling or even bizarre, the report's conclusion may be largely correct.

This says more about international law, however, than it does about the propriety of Israel's conduct. The rules of international law governing the use of force by victims of aggression are embarrassingly unjust and would never be tolerated by any domestic criminal law system. They give the advantage to unlawful aggressors and thereby undermine international justice, security and stability.

Article 51 of the U.N. Charter forbids all use of force except that for "self-defense if an armed attack occurs." Thus the United Kingdom's 1946 removal of sea mines that struck ships in the Strait of Corfu was held to be an illegal use of force by the International Court of Justice, even though Albania had refused to remove its mines from this much used international waterway. Israel's raid on Uganda's Entebbe Airport in 1976—to rescue the victims of an airplane hijacking by Palestinian terrorists—was also illegal under Article 51.

Domestic criminal law restricts the use of defensive force in large part because the law prefers that police be called, when possible, to do the defending. Force is authorized primarily to keep defenders safe until law enforcement officers arrive. Since there are no international police to call, the rules of international law should allow broader use of force by victims of aggression. But the rules are actually narrower.

Imagine that a local drug gang plans to rob your store and kill your security guards. There are no police, so the gang openly prepares its attack in the parking lot across the street, waiting only for the cover of darkness to increase its tactical advantage. If its intentions are clear, must you wait until the time the gang picks as being most advantageous to it?

American criminal law does not require that you wait. It allows force if it is "immediately necessary" (as stated in the American Law Institute's Model Penal Code, on which all states model their own codes), even if the attack is not yet imminent. Yet international law does require that you wait. Thus, in the 1967 Six Day War, Israel's use of force against Egypt, Syria and Jordan—neighbors that were preparing an attack to destroy it—was illegal under the U.N. Charter's Article 51, which forbids any use of force until the attack actually "occurs."

Now imagine that your next-door neighbor allows his house to be used by thugs who regularly attack your family. In the absence of a police force able or willing to intervene, it would be quite odd to forbid you to use force against the thugs in their sanctuary or against the sanctuary-giving neighbor.

Yet that is what international law does. From 1979-1981 the Sandinista government of Nicaragua unlawfully supplied arms and safe haven to insurgents seeking to overthrow the government of El Salvador. Yet El Salvador had no right under international law to use any force to end Nicaragua's violations of its sovereignty. The U.S. removal of the Taliban from Afghanistan in 2001 was similarly illegal under the U.N. Charter (although it earned broad international support).

An aggressor pressing a series of attacks is protected by international law in between attacks, and it can take comfort that the law allows force only against its raiders, not their support elements. In 1987, beginning with a missile strike on a Kuwaiti tanker, the Iranians launched attacks on shipping that were staged from their offshore oil platforms in the Persian Gulf. While it was difficult to catch the raiding parties in the act (note the current difficulty in defending shipping against the Somali pirates), the oil platforms used to stage the attacks could be and were attacked by the U.S. Yet these strikes were held illegal by the International Court of Justice.

Social science has increasingly shown that law's ability to gain compliance is in large measure a product of its credibility and legitimacy with its public. A law seen as unjust promotes resistance, undermines compliance, and loses its power to harness the powerful forces of social influence, stigmatization and condemnation.

Because international law has no enforcement mechanism, it is almost wholly dependent upon moral authority to gain compliance. Yet the reputation international law will increasingly earn from its rules on the use of defensive force is one of moral deafness.

True, it will not always be the best course for a victim of unlawful aggression to use force to defend or deter. Sometimes the smart course is no response or a merely symbolic one. But every state ought to have the lawful choice to do what is necessary to protect itself from aggression.

Rational people must share the dream of a world at peace. Thus the U.N. Charter's severe restrictions on use of force might be understandable—if only one could stop all use of force by creating a rule against it. Since that's not possible, the U.N. rule is dangerously naive. By creating what amount to "aggressors' rights," the

restrictions on self-defense undermine justice and promote unlawful aggression. This erodes the moral authority of international law and makes less likely a future in which nations will turn to it, rather than to force.

The Israeli economy in a nutshell

By Amotz Asa-el MarketWatch August 31, 2009

The U.S. recession, already its longest since the Depression, has yet to die, but Israel's is already being eulogized, as the Jewish state unwittingly supplies America with sobering food for economic thought.

Last week, the Commerce Department reported a fourth consecutive quarter of negative growth, while in Jerusalem the Central Bureau of Statistics reported that the Israeli economy grew 1% in the second quarter after two quarters of shrinkage.

Not only did Israel's recession end earlier and begin later than most others, it was also milder, with its lone quarterly contractions measuring 3.2% and 1%. By contrast, the American economy shrank once by 5.4% and once by 6.4%.

It takes no economist to feel the renewed optimism. Customers crowd realty agencies, car dealerships, appliance stores and gourmet restaurants, while at Ben-Gurion Airport thousands flock every hour to vacations abroad. No wonder, then, that private consumption rose 2.7% in the second quarter after slumping 5.6% in the first quarter, while purchases of durable goods soared 19% after sinking 40% during the first three months. The burgeoning turnaround became so obvious that the July consumer-price index rose 1.1%.

Faced with all this, the Bank of Israel last week changed course after a year of monetary expansion, and pulled up interest rates 0.25 percentage point from their historic low of 0.5%. Gov. Stanley Fischer, the first among the world's central bankers to raise rates this year, and the first to cut them last year, now says the worst is behind us.

True, over the past two years unemployment has mushroomed to 8% from less than 6%, but the Israeli economy has clearly suffered less than others in this crisis, and whatever ailments it experienced were imported rather than self-produced. What, then, explains this defiance of the global trend, and what lesson, if any, does it hold for other economies?

Defying a global crisis This is not the first time the Promised Land has defied a global economic crisis. It happened during the Great Depression and during the Bush recession in 1990-91, when waves of immigrants stimulated local consumption and construction, and it happened during World War II, when Britain used Palestine as a production center and shipping hub.

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However, there was no such context this time around, as the previous decade's post-Soviet immigration had ended long before Lehman Brothers went under. Instead, Israel benefited from the kind of governmental prudence, corporate poise and middle-class caution that once, when they had yet to take root in Israel, were synonymous with American finance.

It's only been one generation since the Bank of Israel became independent, and less than that since it became illegal for the Treasury to breach a set budget deficit. Back when the two lacked such constraints, the former habitually printed billions and the latter spent them at will, thus feeding hyperinflation, which in turn obstructed investment and growth.

At the same time, the public gambled in a stock market where a banking cartel manipulated shares until the entire system - the stock exchange, the major banks and the public that abandoned its inflated money to their devices - collapsed.

That was Israel's equivalent of America's subprime crisis as well as the political and corporate dereliction that inspired it. That era and the painful recovery plan that ended it are recalled vividly by a whole generation of Israelis. No wonder, then, that this decade Israelis were much less likely to either manufacture or consume toxic financial assets.

Israelis had generally become suspicious borrowers moving in a marketplace governed by strict regulators.

This attitude began with the government itself, which halved the public debt, to 78% last year from 158% of GDP in 1986, while over the course of this decade shrinking the budget's share of GDP to 43% from more than 50% and reducing the budget deficit in 0% in 2007 from 5.3%.

With such leadership by example, Israeli regulators could proceed to establish financial prudence as a national value. While the American credit-card industry seduced retailers to borrow more and more for things they needed less and less, Israel's central bank tightened households' financial leeway by banning bank overdrafts. Since Israelis pay their credit-card deals not by writing checks but through automatic deductions from their bank accounts, this drastically reduced their ability to embark on shopping binges beyond their means.

This explains the Bank of Israel's confidence as it responded to the global crisis, which included not

only its global leadership in expanding and tightening monetary policy but also its decision at the height of the crisis to buy \$100 million daily to weaken the shekel and thus help Israeli exporters. Having helped to depreciate the shekel some 20% from a peak of nearly 3.2 to the dollar, the bank has now ceased the daily purchases, and the shekel began appreciating again.

The corporate side Corporate Israel also traversed the crisis impressively.

Yes, there have been failures, like the announcement Sunday by real estate tycoon Lev Leviev that his holding company, Africa-Israel, is seeking to restructure its 21-billion-shekel (\$5.52 billion) debt, or the Zim container-shipping company, which is now grappling with a 15% decline in its far-flung fleet's activity.

However, while affecting average Israelis who bought their securities, these companies' travails do not reflect, for better or worse, the Israeli economy's performance: Neither is a major local manufacturer or employer, and both got into trouble abroad, where Leviev bought American and Russian real estate on the eve of the meltdown and Zim saw international commerce plunge with the global economy.

The hard core of Israeli industry performed entirely differently, benefitting from its dominance by the technology, biomedicine and defense sectors, whose products remain highly in demand even in times as hard as these. Israel Aerospace Industries, the largest defense manufacturer, saw a 25% drop in first-half sales to \$1.44 billion but remained firmly in the black with \$50 million of net income, while software giant Check Point's (CHKP) second-quarter sales rose 12% to \$223 million, netting \$75 million, and pharmaceutical trendsetter Teva's (TEVA) sales in the quarter jumped 20% to \$3.4 billion while net climbed 25% to \$742 million.

Yes, not everyone fared as impressively, but this recession saw no Israeli equivalent of General Motors, a labor-intensive Godzilla whose insolvency affects the entire economy. It's been two decades since such a species last roamed the Israeli economic landscape, when holding company Koor, (KOORF) then Israel's largest employer and carrying a heavy debt burden, was sold to private investors who

turned it around while presiding over the biggest layoffs the country had ever seen.

Does all this mean that Israelis have become more economically responsible than the meltdown's many protagonists, from the management of Bear Stearns to the government of Iceland? Of course not. Israeli real estate's 10.8% appreciation during the first half, the steepest rise in the world, serves as a reminder that a critical mass of gamblers is still out there, ready to dive into the unknown with millions strapped around their waists. The question is where their leaders are while they climb the diving board.

In the past, Israeli leaders not only failed to block such divers, they joined them. Now they stand in their way, in this case by raising interest rates, and therefore also mortgage prices, and in another case, after a large bank made particularly ill-conceived deals abroad, by forcing its chief executive to resign.

So, after some two decades of prudent economic leadership, most Israeli managers, regulators and households behave as if inspired by Benjamin Franklin's advice to work hard, save patiently, borrow responsibly and repay punctually, dictums that sociologist Max Weber later depicted as epitomizing the Protestant ethic that, as he saw it, gave rise to capitalism in general and American economic values in particular.

It remains to be seen to what extent America's current leaders will uphold the financial ethic that until recently was seen as their mighty economy's hallmark.

U.S. public debt is expected this year to reach 55% of GDP, roughly double its level a generation ago, and the U.S. budget deficit is expected to total \$1.6 trillion this year and a cumulative \$9 trillion over the next decade. Both threaten the dollar's future as the world's dominant currency. In addition, President Barack Obama is nationalizing ailing companies while demanding astronomic social spending without showing how it will be financed.

In sum, America seems headed in the opposite direction of the path Israel took from the economic delinquency of its youth, to the frugality that has now helped it emerge from a global recession almost unscathed.

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Obama Pushes Timetable for Mideast Talks The Wall Street Journal

By Jay Solomon and Jonathan Wiseman September 23, 2009

Palestinians, Israelis to Resume Efforts; U.S. Downplays Need for Settlement Freeze President Barack Obama looks on as Israeli Prime Minister Benjamin Netanyahu, left, and Palestinian President Mahmoud Abbas shake hands before a trilateral meeting at the Waldorf Astoria in New York.

Leaders of Israel and the Palestinian Authority, meeting with President Barack Obama, agreed to hold accelerated talks over the next two weeks aimed at formally resuming the peace process.

Mr. Obama pressed both sides to set a firm time frame by mid-October to resume negotiations over the creation of an independent Palestinian state. He de-emphasized, as a precursor to talks, Israeli Prime

Minister Benjamin Netanyahu's agreeing to a complete Israeli settlement freeze in the West Bank and East Jerusalem -- though Palestinian officials said they still would need that concession to continue.

The shift in emphasis represents the U.S. recalibrating its approach to try to restart the Middle East peace process. Mr. Obama and his aides have stressed the settlement-freeze issue as the key to developing support among the Arab states. Mr. Netanyahu hasn't agreed to a complete freeze on building settlements, though he did agree earlier this year to a partial freeze.

The president and other senior U.S. officials focused Tuesday on the urgency of resuming talks. Mr. Obama met the Israeli and the Palestinian leaders on the sidelines of the annual U.N. General Assembly. "Simply put, it is past time to talk about starting negotiations," Mr. Obama said before a trilateral meeting with Mr. Netanyahu and Palestinian Authority President Mahmoud Abbas at the Waldorf Astoria in New York. "Permanent status negotiations must begin and begin soon."

Arab diplomats said Washington's apparent softening on the settlement issue ran the risk of looking like a concession to Mr. Netanyahu. "This could seriously blow back against Abbas if there isn't quick progress on talks," said an Arab official closely involved in the peace process.

The militant Palestinian group Hamas, which controls the Gaza Strip in the Palestinian territories, attacked Mr. Abbas for agreeing to meet Mr. Netanyahu. "The only person to benefit from the New York meeting is Netanyahu because it will improve his image and gives him cover to continue building settlements," said Hamas spokesman Sami Abu Zuhri.

Messrs. Abbas and Netanyahu shook hands ahead of their meeting with Mr. Obama, their first direct contact since the Israeli leader's election win in March. Some U.S. and Israeli officials described the convening of the meeting as an achievement in itself.

To expedite the peace process, Mr. Obama empowered his special Middle East envoy, former U.S. Senator George Mitchell, to oversee a series of meetings with Israeli and Palestinian diplomats in the coming weeks with the aim of formalizing a timetable for peace talks. Mr. Mitchell and other senior U.S. officials voiced optimism Tuesday that months of talks with Israeli and Palestinian leaders were beginning to narrow differences between the sides. They cited improved security in the Palestinian territories and the greater freedom of movement for Palestinians as evidence of progress.

But they also said that Mr. Obama stressed to Messrs. Abbas and Netanyahu that Washington's

ability to play a high-level role in the negotiations won't be open-ended, according to U.S. officials. "There is here a unique opportunity at this point and time" to move ahead with the peace process, Mr. Mitchell told reporters after the meetings. "This might pass if there's further delay."

Messrs. Netanyahu and Abbas highlighted their differences over the peace process during the meeting with President Obama, according to diplomats briefed on the exchange. Mr. Netanyahu said the Palestinians need to recognize Israel as a Jewish state. Mr. Abbas, meanwhile, said Israel must stop building settlements in order for Palestinians to have a viable state.

Palestinian Prime Minister Salam Fayyad publicly questioned the prospects for the peace process Tuesday if the settlement issue isn't quickly addressed.

One Palestinian official said Mr. Abbas's negotiators would stress the need for clear "terms of reference" in meetings with Mr. Mitchell in the coming weeks. This would focus on Israel's willingness to discuss East Jerusalem as the capital of a Palestinian state, as well as the right of return for Palestinian refugees who left territories currently part of the Jewish state. So far, Mr. Netanyahu has said such issues are off the table. "The U.S. has to give Abbas something to relieve the pressure on him back home," said the Palestinian briefed on the diplomacy.

Israeli officials praised the talks Tuesday. But they also put the ball squarely in the Palestinians' camp as to when formal talks might start. "We're ready to start talks without preconditions," said Israel's ambassador to the U.S., Michael Oren, in an interview.

The Obama administration's focus on the settlement issue in recent months has created unusual stress between the U.S. and Israel, Washington's closest ally in the Mideast. Mr. Netanyahu has agreed to slow most settlement activity in the West Bank. But he declined to freeze building in areas that are expected to be part of the Israeli state following a negotiated settlement. He has also declined to freeze building in East Jerusalem. Mr. Mitchell had been seeking in recent months to get Arab governments to begin normalizing their diplomatic ties to Israel in exchange for the settlement freeze. He was particularly hoping to get Saudi Arabia, the United Arab Emirates, Morocco and other Arab governments to establish trade and air links to the Jewish state. On Tuesday, Mr. Mitchell sought to downplay the need for such measures ahead of peace talks.

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