

How Bambi Met James Bond to Save Israel's 'Extinct' Deer

By Charles Levinson The Wall Street Journal February 1, 2010

It Took Cloak-and-Dagger Effort to Return Creatures From Iran to Biblical Home On Nov. 28, 1978, as Iran was hurtling toward Islamic revolution, zoologist Mike Van Grevenbroek landed at Tehran's Mehrabad Airport, coming from Tel Aviv, carrying a blow-dart gun disguised as a cane and secret orders from an Israeli general.

His mission: to capture four Persian fallow deer and deliver them to Israel before the shah's government collapsed.

It marked the daring climax of a years-long cloak-and-dagger effort to reintroduce the animals of the Holy Scriptures of Judaism to Israel.

In December 2009, Israeli wildlife officials added another chapter to the endangered ruminant's unlikely comeback when they released four descendants of those original deer into the Jerusalem hills. The animals joined the nearly 500 fallow deer that now roam freely in Israel. The deer are the crowning achievement of a program that has also returned biblical onagers, oryxes and ostriches to the wild.

Wildlife preservation was a low priority during Israel's early years of statehood that changed with the passage of a conservation law in 1962. An active-duty general, Avraham Yoffe, a founding member of Israel's pre-statehood militia, the Hagana, and commander of the army division that captured Sharm al-Sheikh in 1956, was appointed head of the newly created Israeli Nature and Parks Authority.

Conservationists say the general, who died in 1983, waged war in defense of wildlife with the same zeal he had brought to the battlefield. The 1978 Iranian "deerlift" remains his most daring feat and his biggest success.

The Persian fallow deer stands about 3 feet tall at the shoulder, with a tawny coat, white spots and flattened antlers like those of a small moose. In the book of Deuteronomy, the deer was listed as one of the hoofed animals the Hebrews were allowed to eat. The Book of Kings says the animal was tithed to King Solomon by his subjects.

The last of the fallow deer in Israel were believed to have been hunted to extinction in the early 1900s. The species was thought to be extinct until the late 1950s, when the deer were rediscovered in Iran.

Mentioned in Deuteronomy, the Persian Fallow Deer is one of the rarest species of deer in the world. But in Israel's Hai Bar Nature Reserve, it's making a

comeback. David Blumenfeld reports on the reintroduction of this biblical-era animal to its native land.

When Gen. Yoffe learned of the deer's existence, he began courting Iranian officials. He invited the shah's brother, Prince Abdol Reza Pahlavi, who was an avid hunter, to Israel's Negev Desert to hunt the rare Nubian ibex, a desert-dwelling mountain goat found in few places outside Israel. Months later, he arranged a second hunting trip for another senior Iranian wildlife official, Rashid Jamsheed, who bagged an ibex with more than 53-inch antlers, the Safari Club International world record to this day.

It was strictly forbidden to hunt the ibex, but then-Agriculture Minister Ariel Sharon, agreed to make an exception for his fellow general's pet project, says Mr. Van Grevenbroek, the Dutch zoologist whom Gen. Yoffe asked to lead the reintroduction effort.

Gen. Yoffe's efforts paid off. In 1978, the prince agreed to give Gen. Yoffe's Nature Authority four fallow deer. Later that year, Gen. Yoffe visited Iran to pick up the deer but had a mild heart attack as soon as he arrived in Tehran, recalls Itzik Segev, Israel's last military attaché to Iran. "As the general was being rolled onto the airplane on his stretcher, he turned to me, clutched my hand, and said, 'Segev, you will get me those deer,'" said Mr. Segev, who is now retired and living in a suburb of Tel Aviv.

In the following months, the Islamic revolution picked up steam. Massive popular protests turned violent. The teetering government declared martial law. In Paris, the Ayatollah Khomeini was preparing for his triumphant return to Iran.

At the Israeli Embassy in Tehran, diplomats and intelligence agents were frantically shredding documents and trying to evacuate the 1,700 Israelis living in Iran, says Mr. Segev. For Gen. Yoffe, the clock was ticking since his deal for the deer would collapse with the shah's government. He dispatched Mr. Van Grevenbroek to help Mr. Segev capture fallow deer.

After arriving in Tehran on Nov. 28, and taking a day to pull together supplies, Mr. Van Grevenbroek left for a game preserve on the Caspian Sea, a 10-hour drive from Tehran. His report to the Israeli nature authority concerning the trip shows he spent five days tracking, capturing and crating four deer before returning to Tehran late on

Dec. 4. Meanwhile, Mr. Segev says he went to the Tehran game department to get the necessary export licenses for the deer.

The streets of Tehran were erupting. On Dec. 1, the Ayatollah Khomeini wrote a letter from exile in Paris calling on Iranians to spill "torrents of blood." On Dec. 2, more than one million Iranians marched through central Tehran. Mr. Segev recalls burned-out storefronts throughout the city, burning tires and the acrid smell of tear gas lingering in the air.

Fearing the angry mobs chanting "Death to America," he says, he ditched the Chevrolet Impala favored by VIPs for a low-profile Iranian-made Paykan coupe. He says he exchanged his starched military uniform for civilian rags as he moved stealthily about the city. "There was shooting all over the streets, and here I am, an Israeli general, going to the zoo," says Mr. Segev.

Prince Abdol Reza who had promised the deer to Israel had already fled Iran. Mr. Segev says government officials told him he would instead need to speak with the senior government veterinarian, a man named Mueller—nobody remembers his first name—to secure the necessary licenses. "I said, 'Mueller doesn't sound like an Iranian name,'" says

Mr. Segev. "They told me, 'Mr. Mueller is from Germany.'"

They encountered a man who "was very pro-Germany and very anti-Israel. He was hysterical and screaming, 'I don't want these animals going to Israel,'" Mr. Van Grevenbroek recalls.

Mr. Mueller said he would sign the license but only if the deer went to the Netherlands instead, according to Messrs. Segev and Grevenbroek. They said Mr. Mueller also conditioned his signature on their agreement to take the shah's prized cheetah and leopard to Germany as well since angry mobs were threatening to kill off the shah's menagerie. They agreed to Mr. Mueller's demands, but when they swung by to pick up the two big cats, the crowds had already broken into the zoo and killed them, they both said.

At dawn on Dec. 8, the deer's crates were nailed shut, loaded onto trucks and taken to the airport. They were loaded onto the last El Al flight out of Tehran, packed between mountains of carpets and valuables that fleeing Iranian Jews and Israelis were taking with them.

"I arrived to the airport in Tel Aviv, unloaded the deer and there's the big general waiting with tears in his eyes," says Mr. Van Grevenbroek.

The Palestinians and the peace process

By The Economist (UK) editorial January 28, 2010

Will he, won't he, join the dance? The Palestinian president is in a pickle A year after he promised to put peace between Israel and the Palestinians near the top of his agenda, Barack Obama is still struggling to get negotiations going again. His envoy, George Mitchell, has been shuttling between Israel's prime minister, Binyamin Netanyahu, and Mahmoud Abbas in an effort, so far in vain, to lure the Palestinian president (pictured) back to the table. What more can he do?

Mr Mitchell has veered away from trying to clinch deals over such big issues as the dismantling of Jewish settlements in the West Bank or devising ways of sharing sovereignty over Jerusalem. Instead he has been trying to get both sides to take more modest measures to build confidence: an exchange of prisoners; a deal to let cement into Gaza (hitherto banned because it may, say the Israelis, be used to build launch-pads for rockets); and Israeli agreements to give back a bit more land to the Palestinians and to stop its forces raiding Palestinian towns in the West Bank.

But Mr Abbas's people say none of this would be enough to bring him back to the table. Renewing negotiations, they say, would merely give Israel the cover of Palestinian acquiescence to let it build more Jewish homes on Palestinian land. Indeed, they point out that settlements have in the past tended to expand even faster when a peace process is under

way. "The more we negotiate, the more we lose," says a Palestinian former negotiator.

But some Western diplomats and Palestinian officials hint that Mr Abbas, with a helping hand from Arab states, is quietly poised to climb down. They say he is shelving his previous demand for a total settlement freeze and will consent to a plan to set up low-level or indirect talks, to save the Palestinian leader's face. Mr Abbas, they say, knows he will not find a more sympathetic American president than Mr Obama, so fears frittering his time away. Moreover, the Palestinian Authority (PA), which Mr Abbas heads, depends on American cash.

Still, if Mr Abbas has indeed decided to climb down, it will be a precarious operation. After months of publicly saying he would stand firm, he would have little to show for changing his mind. Mr Netanyahu is hesitant about granting Palestinian requests for a formal "term of reference" acknowledging some of the most crucial issues, such as Jerusalem. Mr Abbas also wants Mr Mitchell to say that the city should be recognised as both states' future capital. As if to rub salt in Palestinian wounds, Mr Netanyahu attended a tree-planting ceremony in a settlement when Mr Mitchell was still in town. By the by, the Israeli prime minister declared that any Palestinian state would have to be completely encircled by Israeli forces.

Mr Abbas, who has been notably flexible since taking on Yasser Arafat's mantle since the old man

died five years ago, has lousy cards to play. Mr Obama's administration, perhaps overconfident, persuaded him to agree that it would demand a complete settlement freeze as the price for restarting talks. But when it backed down, Mr Abbas was embarrassingly stranded.

In any event, he seems to lack a strategy. Doubters in his own party, Fatah, as well as his bitter rivals in Hamas, the Islamist Palestinian movement that runs Gaza, are sneering at his failure to make progress and are calling for his replacement; indeed, he has already said he would resign. "For months we've done nothing," says a Fatah stalwart who has sometimes been touted as a successor. "We have no elections, no reconciliation with Hamas, and no negotiations. We're looking ridiculous."

Should Mr Abbas dig in his heels for longer, some American intermediaries are looking at alternatives. They are airing a plan promoted by the Palestinian prime minister, Salam Fayyad, to get on with building a state that can then be presented for recognition by the UN Security Council in a couple of years. But few Palestinians would risk relying on the Security Council, where the Americans have a veto, to vote for such a state. Should the Americans and Europeans then balk, Mr Fayyad would look as silly as Mr Abbas.

A more radical suggestion, voiced by other Palestinians, is to dissolve the PA altogether and let Israel take responsibility for the occupation. But even the toughest Palestinian critics of Mr Abbas within the PA tend to be swayed by the personal benefits of the status quo. In any case, many Palestinians are enjoying the West Bank's rising prosperity. Ramallah, their administrative capital, is bristling with new buildings, electronic and liquor shops and various spin-offs of foreign aid. Ramallah at night glitters with neon lights. Other Palestinian

cities, though less flashy, also defy the world's economic crunch.

Meanwhile, political apathy is setting in. A recent well-publicised meeting where Palestinians were to press their claims to Arab-populated East Jerusalem drew an audience of less than 50. As long as foreign donors pay the PA's salary bill, few expect a new intifada (uprising). A former Palestinian minister laments that Mr Netanyahu was right about economic development bringing peace, at least for a while.

For those Palestinians, particularly in the rural areas and refugee camps, who are less easily seduced by the lure of the café, the authorities still resort more readily to sticks than carrots. Under the guidance of an American general, Keith Dayton, hundreds of PA security forces have fanned out across Palestinian towns, co-ordinating with Israeli forces to swat Palestinian dissent. Though human-rights groups say the torture of dissidents has dipped, the number of arrests is sharply up.

Yusuf al-Qaradawi, a leading preacher of the Muslim Brotherhood, which is affiliated to Hamas, recently called for Mr Abbas to be stoned even "in Mecca" for seeking to delay a UN debate over the report by Richard Goldstone, a South African judge, on alleged abuses by Israel's forces during Israel's assault on Gaza a year ago. Mr Abbas's PA responded by decking the West Bank in posters showing Mr Qaradawi hugging ultra-orthodox Jews at interfaith meetings, with the caption "Qaradawi meets Israelis". Such is the apparent success of the PA's suppression of Hamas in the West Bank that the mocking posters, on walls habitually scarred with graffiti, remained unblemished. But that will not help Mr Abbas in his quest to relaunch meaningful negotiations with Israel.

A Moral Evaluation of the Gaza War – Operation Cast Lead

By Asa Kasher Jerusalem Center for Public Affairs February 4, 2010

In Israel, a combatant is a citizen in uniform; quite often, he is a conscript or on reserve duty. His state ought to have a compelling reason for jeopardizing his life. The fact that persons involved in terrorism are depicted as non-combatants and that they reside and act in the vicinity of persons not involved in terrorism is not a reason for jeopardizing the combatant's life more than is required under combat conditions.

The ethical doctrine which follows from the IDF Ethics Code mandates that, whenever possible, you must warn non-combatants that they are residents of a neighborhood where it is dangerous to stay. In Gaza, the IDF employed a variety of unprecedented efforts meant to minimize injury to non-combatants, including warning leaflets, phone calls, and non-lethal warning fire.

There is no army in the world that will endanger its soldiers in order to avoid hitting the warned neighbors of an enemy or terrorist. Israel should favor the lives of its own soldiers over the lives of the well-warned neighbors of a terrorist when it is operating in a territory that it does not effectively control, because in such territories it does not bear the moral responsibility for properly separating between dangerous individuals and harmless ones.

Proportionality is not a numerical comparison, but an assessment of existing threats and the measures that must be taken in order to avert them. Proportionality is justifiability of the collateral damage on grounds of the military advantage gained.

Compare the Gaza operation to the U.S. Marine operation in Fallujah, Iraq, in late 2004. During the operation, about 6,000 Iraqis including 1,200-2,000

insurgents were killed. Of the city's 50,000 buildings, some 10,000 were destroyed, including 60 mosques. Thus, the U.S. left a trail of destruction in Fallujah far greater than anything Israel inflicted on Gaza. Comparing IDF activities to those of military forces of Western democracies is an essential part of any present attempt to use international law.

We in Israel are in a key position in the development of customary international law in this field because we are on the front lines in the fight against terrorism. The more often Western states apply principles that originated in Israel to their own non-traditional conflicts in places like Afghanistan and Iraq, then the greater the chance these principles have of becoming a valuable part of international law.

The "Just War Tradition" On December 27, 2008, after sustaining eight years of rocket attacks, Israel launched a military operation against Hamas in Gaza. How are we to evaluate the Israeli incursion from a moral and ethical perspective?

As in any moral evaluation of a war, we must begin by distinguishing the "Why?" from the "How?" "Just war" theory distinguishes between *jus ad bellum* and *jus in bello* - between the moral justification for war and the moral justification for actions taken during a war. The decision to wage a war or to embark on a military operation is made by a government, by politicians. The implementation of that decision in the field, however, or the "How?" is determined by the military echelon. Generally speaking, a government is not to blame for the behavior of soldiers, and soldiers should not be blamed for the decisions made by the political class.

To ask "Why?" is to invoke several principles that belong to the "just war tradition." The first is the *right of self-defense*. From an external point of view, from the perspective of the relationships between states, a state has the right to defend itself against attack. From the internal point of view, namely from the perspective of the relationship between a state and its citizens, a government has the duty to defend its citizens. A state must protect its citizens from acts of violence because it must preserve the conditions that enable it to exist; foremost among them is the preservation of the lives of its citizens. A democratic state is therefore under an obligation to defend its citizens' lives. Thus the state has a *right vis-à-vis* the enemy and a *duty vis-à-vis* its citizens. This is the distinction between a state's right of self-defense, which relates to what is beyond its confines, and a state's obligation of self-defense, which relates to what is within its confines. Both are applicable in our case, since beginning in 2001 over ten thousand Kassam rockets and mortars were launched from Gaza into Israel, endangering the lives of the citizens under attack.

Second is the *principle of last resort*, which dictates that if a dispute can be solved without resort to military force and inflicting casualties, then the parties are obligated to do so. The use of military force is justified, in other words, only if all other alternatives have been exhausted. Here, too, Israel is presumably in the right, for rather than launching an offensive immediately after the first Kassam rocket struck Sderot, the country waited eight years, during which it pursued other solutions, both military and political. Israel's long abstention from any large-scale military response in the face of this aggression presumably meets the principle of last resort.

Third, the *probability of victory principle* dictates that a military operation may be launched only if it has a reasonable chance of successfully achieving its aims. Such operations may not be initiated merely as a symbolic gesture of bravery. If there is no chance of victory, the use of military force is mere bloodshed. Yet here we must distinguish between classical wars like World War II and the Six-Day War in which victory meant the elimination of a military threat, and asymmetric counterterrorism or counterinsurgency warfare against a non-state entity, like the type Israel faces against the terrorist militias of Hizbullah and Hamas. In the latter, victory means significantly improving the security situation in the southern part of Israel by damaging the enemy's armaments infrastructure and crippling its ability to carry out terrorist activities. Here again, last year's incursion into Gaza met the pertinent condition.

The Moral Standards of the Israel Defense Forces In inquiring into the moral standards of a military force - which is not the same as addressing the standards of an individual - three independent questions come to the fore. One concerns the basic values on which the military force acts and the code of ethics according to which it behaves. A second level concerns the translation of such values into practice by means of doctrines, regulations, and rules of engagement. Values are abstract, doctrines are more concrete, while rules of engagement are quite concrete. Finally, there is the question that relates to the behavior of the troops on the battlefield.

As specified in a document called "The Spirit of the IDF," the values of the Israel Defense Forces, much like the values of the American and British forces, are impeccable. For example, there is the basic value of protecting the human dignity of every human being, even the most vile terrorist. How do we protect the human dignity of a terrorist? By considering whether to kill him or capture him or leave him alone.

An additional, uniquely Israeli value is that of the sanctity of human life, both of our troops, our citizens, and other human beings. It appears in an explicit form in no other military code of ethics.

The military code also enshrines a fundamental value known as "purity of arms," which actually means the purity of the usage of arms. Soldiers may use force only for accomplishing their mission, and nothing more. Anything you do with your gun which is not defending the citizens by accomplishing your specific mission is deemed immoral.

In my view, no military code of ethics is morally superior to the code of ethics of the IDF.

A View of International Law We turn now to that part of international law that concerns warfare. This was elaborated in the seventeenth century by the Dutch legal theorist Hugo Grotius on the foundations of a very long philosophical and theological tradition - the "just war tradition." Later it took the form of the Hague Conventions and the Geneva Conventions.

Strictly speaking, international law does not apply to the situation Israel faced in Gaza. Its provisions were intended to guide a military conflict between armies with clear chains of command in which all the troops wear uniforms, bear arms openly, and are responsible to the civil government of a certain state. Terrorist militias like Hamas, however, are not guided by a state. Hamas acts from a territory which is a political entity, the Palestinian Authority, but which is not a state. Moreover, Palestinian terrorists, deliberately and constantly, blur the distinction between combatants and non-combatants, both among the Palestinian population and among the Israelis they target. The classical assumption of mutual observance of the norms of warfare never holds in the war on terrorism.

How then can international law meant for classical warfare apply to nontraditional wars? One way is by means of creative interpretations of international law. The problems with such an approach, however, are immediately apparent. Whose interpretation prevails? The interpretation of the Supreme Court of Israel? The U.S. Supreme Court? The Marine Corps' Judge Advocate Division? Somebody within the United Nations?

An Ethical Doctrine for Combating Terrorists Israel should take a different approach, for it is interested in extending international law rather than replacing present provisions by other ones. Extending international law entails creating new principles in the spirit of the "just war tradition" by attending to fundamental principles, and not merely reinterpreting a certain clause in a certain convention. As it happens, Major General Amos Yadlin and I, as a first step in such a direction, put forward a document that offers an ethical doctrine for combating terrorists. This document was published in the *Journal of Military Ethics* in 2005. Here are some elements of it.

Usually, the duty to minimize casualties among combatants during combat is last on the list of priorities. We firmly reject such a conception. In

Israel, a combatant is a citizen in uniform; quite often, he is a conscript or on reserve duty. His state ought to have a compelling reason for jeopardizing his life. The fact that persons involved in terrorism are depicted as non-combatants and that they reside and act in the vicinity of persons not involved in terrorism is not a reason for jeopardizing the combatant's life more than is required under combat conditions.

What we need instead of the crude and now impractical distinction familiar from the case of regular wars is a scale of involvement in terrorist activity: There are people who are directly involved, those who are indirectly involved, and those who are not involved at all. The second two categories may never be targeted. An operation may only target those who are directly involved, i.e., only if they play a significant role in creating an otherwise unavoidable danger.

So our doctrine allows targeted killing when it is necessary to stop a certain operation against the citizens of Israel and when the role played by the target is crucial to the operation. This is not a form of punishment. The only body that can impose punishment is the court. This is meant only to stop an ongoing act of terrorism. Nor is such killing a form of deterrence. Killing for the sake of deterrence is something akin to terrorism. According to our doctrine, it is impermissible to kill for deterrent purposes alone. Israel killed Hamas leaders Sheik Ahmed Yassin and Abdel Aziz Rantisi, for instance, not to achieve a deterrent effect, but because they posed a significant threat to Israeli lives. Deterrence has been an ensuing byproduct.

Our doctrine also draws a distinction between three different standards of conduct to guide a soldier in any military action: (a) a standard he should follow when facing a group comprising enemy combatants and no one else; (b) a standard he should follow when facing a group of enemy non-combatants who are not participating in the fighting and are not in proximity to enemy combatants; and (c) a standard he should follow when facing a mixed group of combatants and non-combatants.

The Gaza operation mostly took place under conditions that required the application of the third standard of conduct. In the third situation, "just war tradition" theory posits the "double effect" principle. According to this principle, when we are seeking a goal that is morally justified in and of itself, then it is also morally justified to achieve it, even if this may lead to undesirable consequences - on the condition that the undesirable consequences are unavoidable and unintentional, and that an effort was made to minimize their negative effects.

The Need to Warn Non-combatants Our doctrine mandates that whenever possible, you must warn non-combatants that they are residents of a neighborhood where it is dangerous to stay. The

responsibility for minimizing injury to non-combatants entails the responsibility to separate them from terrorists and to remove them from the area of combat. In Gaza, the IDF employed a variety of effective efforts meant to minimize collateral damage, including widely distributed warning leaflets, more than 150,000 warning phone calls to terrorists' neighbors, and non-lethal warning fire (the so-called "knock on the roof") - unprecedented efforts in every respect.

Writing in the *New York Review of Books*, Avishai Margalit and Michael Walzer attacked our doctrine on the grounds that such warnings are not enough. "In such cases," they wrote, "some civilians never leave, despite repeated warnings - because they are old and sick, or because they are caring for relatives who are old and sick, or because they are afraid that their homes will be looted, or because they have no place to go."

Now under such circumstances, should Israel send in troops in order to find out whether there are non-combatants in addition to the terrorists or not? Our doctrine says Israel was not required to send in troops because the mixture of terrorists and non-combatants is a mixture not under our moral responsibility in a territory over which we do not have effective control, as in Gaza. In a state of effective control, the responsibility for distinguishing between terrorists and non-combatants is placed upon Israel's shoulders. We do have effective control over Tel Aviv, Jerusalem, the Golan Heights, and many other places, so there we do jeopardize the lives of police when necessary to prevent criminal acts without harming the neighbors. That is their duty.

But there is no army in the world that will endanger its soldiers in order to avoid hitting the well-warned neighbors of an enemy or terrorist. When Israel does not have effective control over a territory, the moral responsibility for distinguishing between terrorists and non-combatants is not placed upon its shoulders. Gaza was not under our effective control. Therefore, one does not have to jeopardize the lives of the troops in such circumstances just for that sake. If you look at non-combatants in a territory where one does not have effective control and have already made a series of warnings that are known to have been effective, then the lives of the troops come first.

In sum, Israel should favor the lives of its own soldiers over the lives of the well-warned neighbors of a terrorist when it is operating in a territory that it does not effectively control, because in such territories it does not bear moral responsibility for properly separating between dangerous individuals and harmless ones, beyond warning them in an effective way. The sick can wave white flags, their relatives can do it too. The person who is afraid his

home would be looted does not create by his odd behavior a reason for jeopardizing soldiers' lives. The person who does not know where to go is a myth.

Understanding Proportionality A word about proportionality. Many critics of the Gaza operation charged that, since very few people were killed by rocket attacks on Israel's population, while many people were killed by the Israeli response, this response was disproportionate and, therefore, contrary to international law. However, the way the term "proportionality" has been employed in public discourse is usually wrong. First, the number of Israeli casualties is not a reliable measure of the threat posed by enemy rockets. A Grad rocket hit a Beersheba classroom on December 31, 2008; had the missile hit the school when classes were in session, dozens of schoolchildren would have been killed. Luck does not diminish the threat posed by an attack. Proportionality is not a numerical comparison, but an assessment of justifiability of the collateral damage made by the military advantage gained.

An example: At the beginning of the Gaza campaign, a police headquarters was hit because so-called policemen were part of the Hamas security forces and some of them were suicide bombers and others were firing rockets. They were not innocent people involved in traffic control. They were part of a Hamas security force that acted like a reserve unit, and during military warfare you are permitted to hit reserve units that are going to enter the battlefield. The portrayal of those people as if they were all innocent policemen is misleading. Even if some of them were innocent, their attack was utterly justified by the military advantage gained by attacking them. (We assume that warning these innocent individuals would have been futile.)

Were some soldiers trigger-happy in Gaza? Perhaps. But was there a policy of trigger-happiness? On the basis of two kinds of indirect evidence, we can say that there was not. First, if there had been a policy of trigger-happiness, there would have been many thousands of Palestinian casualties. Second, if there had been a policy of trigger-happiness, then the distribution of men, women, and children among the casualties would have closely resembled their distribution in the population. But that is not the case. The vast majority of casualties in Gaza were men; women and children comprised about a sixth of the casualties.

Comparing Israel's Conduct in Gaza to U.S. Conduct in Iraq Compare the Gaza operation to Operation Phantom Fury, which the U.S. Marines launched in Fallujah, Iraq, in late 2004. Many of Fallujah's 350,000 residents fled the city before the operation, leaving an estimated 3,000 insurgents behind. During the operation, about 6,000 Iraqis

including 1,200-2,000 insurgents were killed. Of the city's 50,000 buildings, some 10,000 were destroyed, including 60 mosques, each of which was used to store substantial quantities of armaments and munitions. Even according to Palestinian figures, which are unreliable, 1,400 Palestinians were killed in the Gaza operation. Thus, the United States left a trail of destruction in Fallujah that was far greater than anything Israel inflicted on Gaza. So there is no basis to claim that Israeli conduct of anti-terrorist warfare is less restrained than that of other enlightened states.

We compare Operation Phantom Fury and Operation Cast Lead not in order to use the results for casting a shadow on the former or praising the latter. We compare the operations because the way democratic states conduct their military activities is what should interest us, rather than some creative and often hostile interpretation of the conventions, as a step towards instituting customary international law.

Customary international law accrues through an historic process. If states are involved in a certain type of military activity against other states, militias, and the like, and if all of them act quite similarly to each other, then there is a chance that it will become customary international law. We in Israel are in a key position in the development of law in this field because we are on the front lines in the fight against terrorism. I am not optimistic enough to assume that the world will soon acknowledge Israel's lead in developing customary international law. My hope is that our doctrine, give or take some amendments, will in this fashion be incorporated into customary international law in order to regulate warfare and limit its calamities.

Investigations When claims are made with respect to IDF conduct during the Gaza operation, no matter by whom, the IDF should investigate them, even if they appear to be fabricated. A commander may not ignore allegations about his

troops; this is required professionally, ethically, and morally.

The IDF is a serious organization, interested in improving its activity on all levels - professional, military, legal, moral, and ethical. All military actions carried out during the Gaza operation should undergo a professional, thorough, and detailed investigation, just like any other non-routine and complicated professional operation. The IDF has an obligation to investigate itself just as any other professional organization would. This standard applies to a physician after an operation, an engineer after completing a bridge, and a commander after military activities. If some troops are suspected of breaching the law, then let the military police investigate. Indeed, there are significantly many ongoing investigations. Nothing more is required.

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'Star of David' keffiyehs set to create next culture conflict

By Craig Nelson The National (Abu Dhabi) February 2, 2010

First it was the hummus war. Then it was the tabouleh war. Now get ready for the keffiyeh war.

A self-described "Jewish music label and promotion company" in the United States has begun marketing a version of the traditional Arab headdress complete with blue embroidered stars of David, the symbol of the state of Israel.

Shemspeed, based in Brooklyn, New York, began selling the headdress in mid-January, The Jerusalem Post reported last weekend.

Erez Safar, the company's founder and director, said the scarf, which also bears the Hebrew slogan "Am Israeli Chai" ("The Nation of Israel Lives"), was created "for the unity it creates among Jews".

The keffiyeh has been worn across the Arab world for centuries, but it became a symbol of Palestinian nationalism during the Arab Revolt in the 1930s.

It achieved even greater prominence in the 1960s, when the Palestinian leader Yasser Arafat adopted it as a personal trademark and it became a symbol of Palestinian resistance.

In an interview with the Post, Mr Safar insisted that Jews have as much right to don the keffiyeh as Arabs.

"I think people tend to view Jews as Eastern European and often forget that Arab Jews are also a

massive part of our nation," he told the Israeli newspaper.

Jews indigenous to the region, he continued, have worn some variation of the kefyah (cap) and keffiyeh for thousands of years, he said. "When it comes to religious observance, the Muslim tradition of head covering originates from the Jewish tradition."

Mr Safar denied that what he called "our Israeli remix of the keffiyeh" was a misappropriation of an Arab and Palestinian symbol. He described it as "just one more interpretation of a scarf worn by our brothers for thousands of years".

That will doubtless become a matter of heated debate, adding yet another front in the cultural battle between Arabs and Jews, which most recently has featured food fights.

In 2008, a group of Lebanese businessmen announced plans to sue Israel to stop it from marketing hummus, tabouleh and other regional dishes as Israeli. Since then, each side has attempted to outshine the other.

Most recently, a group of Israeli Arabs and Jews gathered near Jerusalem on a Friday and whipped up a dish of hummus weighing in at 4,090 kilograms, setting a new Guinness world record.

The dish exceeded the previous mark set in October by cooks in Lebanon. At the time, the Lebanese chefs called it a move to reaffirm ownership of a Lebanese food they claimed had been appropriated by Israelis.

The Lebanese business group was expected to mount a challenge to seize back the crown. Israeli Army Radio on Friday referred to the hummus clash as the "third Lebanon war".

Seven Myths About Iran

By Bret Stephens The Wall Street Journal

February 1, 2010

How long will it take for the lesson to stick? "We have been trying to negotiate [with the Iranians] for five, six years. We've tried everything. We have met every Iranian. We have tried to open every possible channel. We've had new ideas and the result is this: nothing."

popular chants of the demonstrators goes, "Iran is green and fertile, it doesn't need nukes."

Thus did a senior Western diplomat recently describe to me his country's efforts to reach a negotiated settlement with Tehran over its nuclear programs. In doing so, he also finally disposed of the myth, nearly a decade in the making, that Iran was ready to abandon those programs in exchange for a "grand bargain" with the West.

Yet even if the nuclear program enjoyed widespread support, it isn't clear how Iranians would react in the event of military strikes. Argentine dictator Leopoldo Galtieri whooped up a nationalist fervor when he invaded the Falklands in 1982, but was ousted from office just a week after Port Stanley fell to the British. When a regime gambles its prestige on a single controversial enterprise, it cannot afford to lose it.

Let's dispose of a few other myths—and hope it doesn't take years for the lesson to stick:

(3) *Sanctions don't work, and usually wind up strengthening the regime at the expense of its own people.* That's only true when the sanctioned regimes have strong internal controls, relatively pliant populations, and zero interest in international respectability. It's also true that sanctions alone are never a silver bullet. But as Mark Dubowitz of the Foundation for Defense of Democracies points out, they can be "silver shrapnel," particularly when the target country is as politically vulnerable as Iran is now, and when it is also critically reliant on the consumption of imported gasoline.

(1) *Military strikes on Iran's nuclear facilities would accomplish nothing.* That's the argument made by Defense Secretary Robert Gates, who last year told a Senate Committee that "a military attack will only buy us time and send the program deeper and more covert."

That's why the House was right when it overwhelmingly approved the Iran Refined Petroleum Sanctions Act in December, and when the Senate unanimously passed a similar bill (against the administration's objections) last Thursday. Over time, the regime will surely find ways to skirt the sanctions, which prohibit companies that do business in Iran's energy sector from also doing business in the U.S. But in the critical short term, these sanctions might provoke the kind of mass unrest that could tip the scales against the regime.

Maybe so, but what's wrong with buying time? Israel's 1981 attack on Iraq's Osirak reactor also bought time while driving Saddam's nuclear programs underground. But it ensured that it was a non-nuclear Iraq that invaded Kuwait and threatened Saudi Arabia nine years later, a point recognized by then-Defense Secretary Dick Cheney when he thanked the Israeli commander of the Osirak operation for making "our job much easier in Desert Storm."

(2) *A strike would rally Iranians to the side of the regime.* The case would be more persuasive if the regime had any remaining claims on Iranian patriotism. It no longer does, if it ever did. It also would be more persuasive if the nuclear program were as broadly popular as some of the regime's apologists claim. On the contrary, one of the more

(4) *The world can live with a nuclear Iran, just as we live with other nasty nuclear powers.* Assume that's true. (I don't.) Can we also live with nuclear Saudi Arabia, Egypt and Turkey? The problem with the "realist"

view is that it fails to take account of the fears a nuclear Iran inspires among the status quo regimes in its neighborhood. Containment was complicated enough during the Cold War. Now imagine a four- or five-way standoff among Arabs, Persians, Turks and Israelis, some religiously fanatic, in the world's most volatile neighborhood.

(5) *The Iranian regime is headed for the ash heap of history. The best policy is to do as little as possible until it crumbles from within.* Communist regimes were also destined for the ash heap. Unfortunately, it took them decades to get there, during which they murdered tens of millions of people. It matters a great deal to Iran's people, and its neighbors, that the regime go quietly. But it also matters that it go quickly, and waiting on events is not a policy.

(6) *The more support we show Iran's demonstrators, the more we hurt their cause.* This was the administration's view after the June 12 election, as it walked on tiptoes to avoid the perception of "meddling." The regime accused the U.S. of meddling all the same.

But protest movements like Iran's (or Poland's, or South Africa's) are sustained by a sense of moral legitimacy that global support uniquely conveys. When will American liberals get behind Iranian rights, as they have, say, Tibetan ones? Maybe when President Obama tells them to.

(7) *Israel will ultimately dispose of Iran's nuclear facilities.* The more policy makers fall for the first six myths, the less mythical the seventh one becomes.

Straddling Political Fault Lines in the Middle East

By Isabel Kershner The New York Times February 3, 2010

In this far-flung village that straddles a tense international border, location is not just a real estate issue. It determines in which country you reside.

The village, a cluster of pastel-colored houses in a deceptively tranquil valley, sits at a volatile juncture where regional rivals Israel, Lebanon and Syria meet. It commands crucial water sources, perched above the Hasbani River and the Wazzani springs.

Ghajar (pronounced RAH-jar) has a complicated history, adapting to the shifting map of territorial conquests and squeezed between Israel, which currently controls the village, and its enemies, including the Lebanese Shiite militant group Hezbollah.

Now international powers interested in stabilizing the region are pushing for another change in Ghajar's status by returning the northern part to Lebanon, unnerving the residents. "These are simple people who want to live and earn a living in dignity," said Najib Khatib, the official village spokesman.

"What we want is for the village to remain united" with its 2,800 acres of agricultural land, he said. The latest chapter in the village's saga began with Israel's withdrawal from south Lebanon in 2000. The United Nations determined that the international border with Lebanon ran right through Ghajar's central square. The border has mostly been a virtual one, however, and with Israel's war against Hezbollah in 2006, Israeli soldiers returned to take control of the Lebanese side.

But with a new government in Beirut and a desire to deny Hezbollah any justification for attacking Israel on grounds that it is occupying Lebanese territory, interested parties, the United States among them, want to see Ghajar removed from a long list of grievances. Israel also wants to show a willingness to complete its withdrawal from Lebanon in compliance with United Nations Security Council Resolution 1701, which ended the 2006 war.

As a temporary solution, Unifil, the United Nations peacekeeping force in southern Lebanon, has proposed taking control of the village's northern part. Yet, the roughly 2,200 residents of Ghajar are Israeli citizens whose allegiance is to Syria. They insist that they never belonged to Lebanon.

"Now, Israel is occupying me," said Atef Khatib, a pharmacist who lives in Ghajar's northern section. "I prefer to live in Syria. That is my country and my home." Personifying the somewhat paradoxical existence of the villagers, Mr. Khatib, who drives a shiny S.U.V., studied pharmacology in Syria and works in Qiryat Shemona, an Israeli border town that has suffered greatly over the years from Hezbollah rocket fire.

Despite signs of relative affluence in the village, daily life there already borders on the bizarre.

Because of Ghajar's location, the Israelis have surrounded the village with fences and declared the area a closed military zone. Border police officers control the southern entrance to the village and inspect every vehicle that comes and goes. Access to the village for outsiders is strictly limited; a group of reporters recently visited with special permission from the military and were allowed to stay little more than an hour.

Since 2000, Israel has stopped providing services to the north. Mr. Khatib, the spokesman, said that if a refrigerator broke down, it had to be taken to the southern entrance for repairs, with electricity from an extremely long extension cord.

Similarly, if the police need to certify the cause of death of a villager from the north, the body has to be taken to the village entrance — "like a refrigerator," Mr. Khatib said.

The residents of Ghajar are members of the Alawite sect, the governing minority of Syria. The village came under Israeli control as part of the Golan Heights, the strategic plateau that Syria lost to Israel in the 1967 war. When Israel annexed the

Golan Heights in 1981, the villagers chose to become Israeli citizens.

At the same time, with Israel occupying a buffer zone in southern Lebanon, the village expanded north into the territory now marked as Lebanese soil. Disputing the United Nations demarcation line, Mr. Khatib, the spokesman, claims that there were houses on the northern side before 1967, built with permits from the Syrian authorities. By now some two-thirds of the residents live in the northern part of the village. The school, the mosque, the cemetery and the village lands lie to the south.

Between 2000 and 2006 northern Ghajar remained a kind of no man's land. Then the Israeli Army moved in, citing security concerns. Military officials said that Hezbollah was working inside the village and had used it as a base in a foiled attempt to abduct Israeli soldiers in 2005.

Israel is negotiating with Unifil and says it is ready to see the peacekeeping forces replace its troops in northern Ghajar. But working out the details of the arrangement, Israeli officials say, will take time. Aside from security issues, the sides are trying to figure out the legal and practical logistics of how Israeli citizens can continue a semblance of a normal life while living in Lebanon. The residents, who say they have not been consulted, fear that a barrier and checkpoints will go up in the center of the village, disrupting life and splitting up families. Most of the inhabitants belong to the same clan.

Ultimately, the villagers say, they want to be returned to Syria as part and parcel of the Golan Heights under an eventual Israeli-Syrian peace deal.

In the meantime they prefer to stay united under Israeli authority. But they are reluctant to say so explicitly. Such an admission could be construed as betrayal by the neighbors across the lines.

Helping Abbas climb down the high tree

By Khaled Abu Toameh The Jerusalem Post February 2, 2010

PA president wants to resume talks, but "doesn't want it to look as if he has succumbed to the pressure," says Ramallah official.

If anyone sought proof that President Mahmoud Abbas was planning to return to the negotiating table with Israel in the near future, it was provided by the results of "public opinion" polls published in the past few days by a number of Fatah-controlled media outlets and an interview he gave to Britain's Guardian newspaper.

The polls are seen by many Palestinians as an attempt to prepare local public opinion for the possibility that the Palestinian Authority will soon resume the stalled peace talks with Israel.

One poll went as far as claiming that 65 percent of the Palestinians living under Hamas in the Gaza Strip support the resumption of the talks and believes in peace with Israel.

In the interview with the Guardian, Abbas hinted that he was inclined to accept the latest proposals from the US regarding the resumption of negotiations with Israel. Abandoning its previous demand for a total and unlimited cessation of settlement construction, Abbas said a three-month suspension would be sufficient to bring the Palestinians back to the negotiating table.

Chief PA negotiator Saeb Erekat explained that Abbas's new stance stemmed from his conviction that the Israelis and Palestinians would be able to reach agreement on all final-status issues, such as Jerusalem, refugees, water, settlements and borders, within three months.

The assessment that Abbas would agree to the resumption of the talks was reinforced on Monday when the PA president announced, following a meeting in Berlin with German Chancellor Angela Merkel, said that the Palestinians would return to the

negotiating table if Israel "halted settlement construction" and accepted the 2003 road map for peace in the Middle East.

Abbas did not repeat his earlier condition for a complete and unlimited cessation of construction in the West Bank and east Jerusalem. Nor did he repeat his previous demand that the international community recognize the June 4, 1967, boundaries as the future borders of a Palestinian state.

Since Israel has already suspended settlement construction in the West Bank and has no objections to the road map, Abbas will have no problem justifying a decision to resume the talks.

Later this week, he is scheduled to give his final response to the latest "ideas" presented by US Middle East envoy George Mitchell regarding the revival of the peace talks. PA officials have described Mitchell's proposals as "positive," saying they could pave the way for Abbas to start his descent from the tall tree he had climbed when he set a series of conditions for returning to the negotiating table.

According to the officials, the latest American "ideas" include placing additional territories in the West Bank under the exclusive control of the PA, the release of Fatah prisoners from Israeli jails and halting IDF "incursions" into PA-controlled communities. The officials said that Abbas was under heavy pressure from the Europeans, Americans and some Arab countries to accept Mitchell's proposals and resume the peace talks with Israel.

"The president wants to resume the peace negotiations, but he doesn't want it to look as if he has succumbed to the pressure," said one official in Ramallah. "The resumption of the peace talks needs to be done gradually and one idea is to begin with low-level or indirect talks between the two sides."