

Sabby Sagall

Review

The Case for Israel by Alan Dershowitz

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At a time of deepening political and moral crisis, not only for the Israeli government but for the entire right-wing Zionist project, Harvard law professor Alan Dershowitz has produced a book purporting to set the record straight by rebutting all the accusations leveled against “the sole outpost of liberty and democracy in the Middle East.” The structure of each chapter is based on a defense lawyer’s submission to a court, a statement of the charge against the accused (Israel) followed by the defense counsel’s repudiation backed up by counter evidence. However, using dubious methods of historical scholarship, the book is shot through with falsification through omission and will convince only the ignorant or the gullible.

One of Dershowitz’s first aims is, in effect, to uphold the old lie about Palestine being “a land without a people for a people without a land.” He puts it slightly more subtly by describing “the Palestine to which the Jews of the First Aliyah immigrated was vastly under populated.” (p. 23) He brazenly claims that “it is beyond reasonable dispute that—based on census figures, authoritative reports, eyewitness accounts, and simple arithmetic—that the myth of displacement by the European Jewish refugees of a large, stable, long-term Muslim population that had lived in that part of Palestine for centuries is demonstrably false.” One of his sources in support of this is King Abdullah of Jordan, the man who negotiated a secret deal with Prime Minister Ben Gurion to annex the West Bank, thus depriving the Palestinians of the main portion of their UN-allotted territory.

It is indeed the case, as Dershowitz says, that before 1948 Zionists purchased land from the big Palestinian landlords—who were, to begin with, absentee landowners—but increasingly from the early thirties from resident owners. In 1947, 73 percent of the land held by Jews had been bought from big landowners, most of the remaining land from small holders. (See Nathan Weinstock, *Zionism: False Messiah*, 1969, p. 143). However, Dershowitz omits or wildly underplays the effect of these purchases on the Palestinian *fellahin*,

the share-croppers and smallholders who comprised some 70 percent of the Palestinian population in the twenties and thirties (Weinstock, p.157).

Following Benny Morris' recent book *Righteous Victims*, Dershowitz states that "only several thousand families were displaced following land sales to Jews..." (p. 25). (In 1917, the year of the Balfour Declaration, Arabs numbered roughly 600,000 compared to 60,000 Jews). The reality is that the vast majority were simply evicted from the land as a result of coordinated land purchases. "... wretched people who had earned a living, sometimes for many generations, on the land... found themselves forced out of their homes and deprived without compensation of their only means of earning bread... Evicted tenants, the real victims of Jewish immigration, were the essence of the Palestinian problem." (C. Sykes, Orde Wingate, London 1959, quoted in Weinstock, p. 154). The new owners subsequently practiced a strict economic segregation so that when evicted Palestinian smallholders were forced to migrate to the towns they couldn't find work or sell their products. Zionist policy dictated that Jewish employers must only employ Jewish labor and that Jewish settlers should only buy Jewish goods. Hence, Palestinian fear of and resentment towards Zionist colonization predates the establishment of the state of Israel in 1948. Indeed it was present from the outset and is surely completely understandable.

A second major falsification is Dershowitz's claim that it was the Arab armies' invasion of the newly-created state of Israel in 1948 that was responsible for the refugee problem. (p. 79) A more truthful account is provided by Avi Shlaim's superb book *The Iron Wall*. In 1947, the UN Partition Plan allocated 55 percent of Palestine to a Jewish state, whereas the Palestinians, who outnumbered the Jews by two to one, were granted 45 percent. Not content with this gross imbalance, the incomers drove out by force of arms 700,000 Palestinians, taking over their cities, their villages and their land—all in all an additional 23 percent of the territory. As Shlaim documents it—following Benny Morris' earlier, more radical work, *The Birth of the Palestinian Refugee Problem 1947-1949*, (1987)—the first and largest wave of refugees were forcibly expelled between April and May 1948, the State of Israel being declared on 15th of May. It was on that date that five Arab armies invaded Palestine. According to Sharon-style mythology, a Jewish David was pitted against an Arab Goliath whom it defeated in a heroic struggle. The truth is the Arab armies were no match for the more numerous, better-armed and trained Zionist armies. By the end of 1948, the ethnic cleansing of Palestinians was complete. And as Shlaim says, "[I]t was the collapse of

Palestine resistance that prompted the Arab League to commit the regular armies of the member states to the struggle against partition, thus reversing an earlier decision merely to finance and arm the local Arabs.” (p. 32)

Dershowitz’ notion that the Arab invasion was somehow intended to complete what the Holocaust had left unfinished is shown to be somewhat paranoid and wholly risible. (“Israel defended itself against a genocidal war of extermination.” p. 74). It was a belated and half-hearted attempt to rescue the Palestinians from expulsion, the only post-World War Two case of the majority of a people being ethnically cleansed from their homeland.

This is one, but not the only, reason for the Palestinian refugee problem being quite different from that of other refugees whose acceptance of their lot—Dershowitz describes so approvingly, for example, the minority Sudeten Germans being forced to leave Czechoslovakia after World War Two. Moving on a few years brings one to the subsequent wars, 1956, 1967, 1973 and 1982. Astonishingly, Dershowitz doesn’t even mention the 1956 war against Egypt or the brutal invasion of Lebanon in 1982. In 1956, Israel, in collusion with Britain and France, attacked Egypt in an attempt to topple Nasser, the nationalist leader who aspired to unite the Arab world and liberate it from colonial domination. In 1955, he had attacked British interests by nationalizing the Suez Canal and was supporting the Algerian National Liberation Front in their struggle against French colonial-settler rule. As he was being armed by the Soviet bloc, Israeli leaders conspired to have a showdown before the military balance shifted in Egypt’s favor.

Also, in August 1955, fedayeen self-sacrificers recruited from Palestinian refugees in Gaza and trained by Egyptian officers began carrying out a series of attacks inside Israel. Nasser had reversed his previous policy of restraint following the vicious Gaza raid in February 1955 when Israeli forces led by Ariel Sharon killed thirty-seven Egyptian soldiers. At the end of 1955, Israeli forces launched further vicious attacks on Egypt and Syria in an attempt to provoke them into full-scale war. The strategy failed and in October 1956, Israel attacked Egypt though, contrary to the official version, there is no evidence that it faced any serious threat from Nasser at that time. The Palestinians would not accept their fate. In 1964, the Palestine Liberation Organization was founded under Egyptian auspices, its aim that of reclaiming its Palestinian homeland. Dershowitz claims that the 1967 “six-day war” was Egypt’s entire responsibility, being inevitable after Nasser closed the Straits of Tiran. Once again, Dershowitz falsifies by omission. In

May 1967, Israel threatened Syria with action unless it ceased supporting Palestinian guerrillas operating against Israel. According to Shlaim, "Israel's strategy of escalation on the Syrian front was probably the most important factor in dragging the Middle East to war in June 1967." Several fire fights were provoked by Israel, as attested by Moshe Dayan. "We would send a tractor to plow someplace...in the demilitarized area, and knew in advance that the Syrians would start to shoot... And then we would use artillery and later the air force also..." (Shlaim, p. 235).

In May 1967, Yitzhak Rabin, then Chief of Staff, gave an interview to a newspaper in which he threatened to overthrow the Syrian regime. Nasser had somehow to respond in order to preserve his credibility as leader of the Arab world. As Shlaim argues, "there is general agreement among commentators that Nasser neither wanted nor planned to go to war with Israel. What he did was to embark on an exercise in brinkmanship that was to carry him over the edge." (p.237) Thus, it was in response to Israel's threats to Syria that Nasser sent a large number of troops into Sinai and closed the straits of Tiran to Israeli shipping, generally thought to be moves intended to impress Arab public opinion rather than provoke war.

But in June, Israel launched a massive, lightning attack on Egypt, Syria, Jordan and Iraq. Within six days, it had won a spectacular victory, capturing the Palestinian territories under Jordan's control, the Golan Heights from Syria and the Sinai Peninsula from Egypt. Israel made it unambiguously clear that it would rather go to war than compromise with the Palestinians by granting their rights as demanded under successive United Nations resolutions. Dershowitz's omission of the 1956 and 1982 wars can presumably be explained by the fact that they are the ones that least bear out his concocted image of Israel as the victim state. Dershowitz repeats the claim made by Israeli government and Zionist spokespersons, that Prime Minister Barak made a "generous offer" to the Palestinians in the U.S.-sponsored Camp David talks of July 2000, insisting that they offered them over 90 percent of the Occupied Territories. Though this figure is clearly an exaggeration (Edward Said put it at 50-60 percent), there is an additional point: what Israel offered were several non-contiguous areas, surrounded by Israeli settlements and military bases, and split up by the 400 kilometers of settlers-only roads that Israel has constructed on 160,000 dunams of expropriated land to link the settlements with each other and with the bases. The Occupied Territories were thus to be cantonized into disconnected areas without independent borders, creating a series of separate Bantustans under

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Israel's thumb. No political leader could possibly have accepted such a shoddy deal and survived politically. As one Israeli leftist put it, it is like saying that in a prison the prisoners are in control because they occupy 90 percent of the jail whereas the governor and warders occupy only 10 percent. The question remains: who controls whom?

In the subsequent Taba negotiations (January 2001), what Israel offered was not substantially different from Camp David, the main difference consisting of "left" Zionist hype. An important motive for Israel in embarking on the Oslo negotiations was the containment of the militant Islamic movements, Hamas and Islamic Jihad, which grew in influence during the first Intifada. Arafat's PLO came to be seen as the only force that could effectively suppress or at least contain them. Arafat had perhaps some control over them at the beginning of the "peace process" but as the situation worsened, this became less and less possible. Apart from the physical impossibility of policing the Palestinians while he himself is incarcerated, recent years have seen a great acceleration in the growth of Islamist influence. (Though with Arafat's house arrest, he has no doubt regained much of his support).

On one occasion, Arafat did imprison several Palestinian activists, only for a militant crowd to attack the jail and force their liberation. There is no evidence that he could control even Al-Aqsa Brigade activists formally linked to his Fatah movement but who have been operating autonomously. Israel wants Arafat to be a colonial policeman, but the more of a puppet he becomes, the more he cedes influence to Hamas and the less use he is to Israel. In the end, Dershowitz's book reads like a skillfully devised legal document. He may be a good lawyer, but he is a bad historian.