
THE CASE AGAINST ISRAEL'S ENEMIES

Exposing Jimmy Carter and Others
Who Stand in the Way of Peace

Alan Dershowitz



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THE CASE
AGAINST
ISRAEL'S
ENEMIES

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This book is dedicated to Israel's constructive and nuanced critics, whose rational voices are too often drowned out by the exaggerations, demonizations, and hate-filled lies put forth by Israel's enemies. Criticism is the lifeblood of democracy and a sure sign of admiration for an imperfect democracy seeking to improve itself.

CONTENTS

Acknowledgments	ix
Introduction	1
1 The Case against President Jimmy Carter	17
2 The Case against Professors John Mearsheimer and Stephen Walt	49
3 The Case against Boycotting Israeli Academics and Divesting from Israeli Businesses	80
4 The Case against the Anti-Israel Hard Left and Hard Right	98
5 The Case against Israel's Suicidal Enemies	143
6 The Case against Mahmoud Ahmadinejad and Iran's Genocidal Nuclear Weapons Program	186
Conclusion The Case against Simple-Minded, One-Sided Solutions to Complex, Multifaceted Problems	224
Appendix Why Jimmy Carter Is Wrong: The Facts	229
Notes	251
Index	287

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Introduction

For a tiny nation of a little more than six and a half million citizens (approximately 5.3 million of whom are Jewish and 1.3 million are Muslim and Christian Arabs) living in an area roughly the size of New Jersey, Israel has proportionally more enemies than any nation on earth. No nation has been threatened more often with divestment, boycotts, and other sanctions. No nation has generated more protests against it on college and university campuses. No nation has been targeted for as much editorial abuse from the worldwide media. No nation has been subjected to more frequent threats of annihilation. No nation has had more genocidal incitements directed against its citizens.

It is remarkable indeed that a democratic nation born in response to a decision of the United Nations should still not be accepted by so many countries, groups, and individuals. No other UN member is threatened with physical destruction by other member states so openly and with so little rebuke from the General Assembly or the Security Council. Indeed, no nation, regardless of its size or the number of deaths it has caused, has been condemned as often by

the UN and its constituent bodies. Simply put, no nation is hated as much as the Jewish nation.

Yet over the last sixty years, no nation in the world has contributed more per capita to the general welfare of the people of this planet than Israel. Israel has exported more lifesaving medical technology to the far-flung corners of the earth than any nation of comparable size. It has done more to protect the environment; to promote literature, music, and the arts and sciences; and to spread agricultural advances. Its scientists and engineers have secured more patents and its high-tech entrepreneurs more new listings on NASDAQ than any but the largest nations in the world. Its academics have won more international prizes, published more papers, and achieved more technological breakthroughs than any other nation of comparable size. Its students have been accepted at more elite graduate and professional schools than those of other small countries.

And Israel has learned and taught others how to fight terrorism within the rule of law. Israel has created a legal system that is the envy of the world, with a Supreme Court that stands at the pinnacle of democratic judiciaries—a court open to all with few, if any, restrictions on its jurisdiction. As America's most liberal Supreme Court justice, William Brennan, observed when he visited Israel in 1987,

It may well be Israel, not the United States, that provides the best hope for building a jurisprudence that can protect civil liberties against the demands of national security. For it is Israel that has been facing real and serious threats to its security for the last forty years and seems destined to continue facing such threats in the foreseeable future. The struggle to establish civil liberties against the backdrop of these security threats, while difficult, promises to build bulwarks of liberty that can endure the fears and frenzy of sudden danger—bulwarks to help guarantee that a nation fighting for its survival does not sacrifice those national values that make the fight worthwhile. . . .

I [would not] be surprised if in the future the protections generally afforded civil liberties during times of world danger owed much to the lessons Israel learns in its struggle to preserve simultaneously the liberties of its citizens and the security of its nation. For in this crucible of danger lies the opportunity to forge a worldwide jurisprudence of civil liberties that can withstand the turbulences of war and crisis.¹

Israel's media have become models of openness and self-criticism, in which every perspective from the hard anti-Zionist left to the hardest right may be heard and seen. So may Israeli Arabs, many of whom do not accept the legitimacy of the Zionist state. As an Israeli friend once quipped, "Israelis and Palestinians have exactly the same free speech rights: they may both condemn the Israeli prime minister and praise the leader of Hamas."

In an otherwise critical article in the May 2008 edition of the *Atlantic*, Jeffrey Goldberg, who questions whether Israel will survive, summarized Israel's achievements over its sixty-year history:

Israel is, by almost any measure[,] an astonishing success. It has a large, sophisticated and growing economy (its gross domestic product last year was \$150 billion); the finest universities and medical centers in the Middle East; and a main city, Tel Aviv, that is a center of art, fashion, cuisine, and high culture spread along a beautiful Mediterranean beach. Israel has shown itself, with notable exceptions, to be adept at self-defense, and capable (albeit imperfectly) of protecting civil liberties during wartime. It has become a worldwide center of Jewish learning and self-expression; its strength has straightened the spines of Jews around the world; and, most consequentially, it has absorbed and enfranchised millions of previously impoverished and dispossessed Jews. Zionism may actually be the most successful national liberation movement of the 20th century.²

In contrast, Goldberg characterizes the Palestinians as having "perhaps the least successful national liberation movement of the 20th century," largely because of the "Arab opposition" to any Jewish state and to any two-state solution.

There is, to be sure, much to criticize with regard to Israel, just as there is with regard to every imperfect democracy (which includes all democracies). Criticism is healthy, indeed indispensable to the workings of democracy. No one should ever confuse criticism of Israel or of Israeli policies with anti-Semitism. And no one should ever accuse mere critics of Israel of anti-Semitism. If criticism of Israel or Israeli policies constituted anti-Semitism, then the highest concentration of anti-Semites would be in Israel,

where *everybody* is a critic. There is an apocryphal story about an Israeli who was stranded alone on a desert island for ten years. By the time he was finally rescued, he had started four political parties, six newspapers, and two synagogues. I, too, have been a frequent critic of Israeli policies—especially, but not exclusively, with regard to the settlement and occupation policies—since the early 1970s. Yet no one has called me an anti-Semite. The claim that critics of Israel are branded anti-Semites is a straw man and a fabrication of Israel's enemies who seek to play the victim card.

Yet this big lie persists. Susannah Heshel, a professor of Jewish studies at Dartmouth, has charged, "We often hear that criticism of Israel is equivalent to anti-Semitism."³ Michael Lerner, the editor of *Tikkun*, has made a similar charge. So has Noam Chomsky. Most recently, a vocal professor at Harvard, Lorand Matory, has made this accusation.⁴ I have challenged anyone who claims that mere criticism of Israel is often labeled anti-Semitism to document that serious charge by providing actual quotations, in context, with the sources of the statements identified. No one has responded to my challenge. I am not talking about the occasional kook who writes an anonymous postcard or an e-mail. I am talking about mainstream supporters of Israel, who, it is claimed, have often equated mere criticism of Israel with anti-Semitism.

Surely that is not what Thomas Friedman of the *New York Times* did when he wrote the following: "Criticizing Israel is not anti-Semitic, and saying so is vile. But singling out Israel for opprobrium and international sanction—out of all proportion to any other party in the Middle East—is anti-Semitic, and not saying so is dishonest."⁵ Nor is it what former Harvard University president Lawrence Summers did when he said, in condemning divestment petitions against Israel, "There is much to be debated about the Middle East and much in Israel's foreign and defense policy that can be and should be vigorously challenged."

Surely it is not what I have done when I have welcomed criticism of Israel, while accusing of bigotry those who would single out Israel for economic and academic capital punishment, despite the reality that Israel's human rights record is far better than that of any other country in the region and at least as good as that of

any other country that has faced comparable dangers. Yet no other nation, including those with the most abysmal of human rights records, faces as much enmity. Most significantly, the intensity of the enmity directed against the Mideast's only democracy is unexplainable on any rational basis.

I will never forget how I personally experienced this hatred in March 2004. It took place in front of Faneuil Hall, the birthplace of American independence and liberty. I was receiving a justice award and delivering a talk from the podium of that historic hall on civil liberties in the age of terrorism. When I left, award in hand, I was accosted by a group of screaming, angry young men and women carrying virulently anti-Israel signs. The sign carriers were shouting epithets at me that crossed the line from civility to bigotry. "Dershowitz and Hitler, just the same, the only difference is the name." The sin that, in the opinion of the screamers, warranted this comparison between me and the man who murdered dozens of my family members was my support for Israel.

It was irrelevant to these chanters that I also support a Palestinian state, the end of the Israeli occupation, and the dismantling of most of the settlements. The protesters also shouted, "Dershowitz and Gibbels [*sic*], just the same, the only difference is the name"—not even knowing how to pronounce the name of the anti-Semitic Nazi butcher.

One sign carrier shouted that Jews who support Israel are worse than Nazis. Another demanded that I be tortured and killed. It was not only their words; it was the hatred in their eyes. If a dozen Boston police had not been protecting me, I have little doubt I would have been physically attacked. The protesters' eyes were ablaze with fanatical zeal.

The feminist writer Phyllis Chesler aptly describes the hatred some young people often direct against Israel and supporters of the Jewish state as "eroticized."⁶ That is what I saw: passionate hatred, ecstatic hatred, orgasmic hatred. It was beyond mere differences of opinion.

When I looked into the faces of the protesters, I could imagine young Nazis in the 1930s in Hitler's Germany. They had no doubt that they were right and that I was pure evil for my support of the

Jewish state, despite my public disagreement with some of Israel's policies and despite my support for Palestinian statehood.

There was no place for nuance here. It was black and white, good versus evil, and any Jew who supported Israel was pure evil, deserving of torture, violence, and whatever fate Hitler and Goebbels deserved.

To be sure, these protesters' verbal attack on me was constitutionally protected speech, just as the Nazi march through Skokie, Illinois, was constitutionally protected speech. But the shouting was plainly calculated to intimidate. An aura of violence was in the air, and had the police not been there, I would not have been able to express any views counter to the young demonstrators'.

As it turned out, I was not able to express my opinions anyway, even in response to their outrageous mischaracterization of my viewpoint or their comparisons of me to the most evil men in the world. When I turned to answer one of the bigoted chants, as I always do in these situations, the police officer in charge gently but firmly insisted that I walk directly to my car and not engage them. It was an order, reasonably calculated to assure my safety, and it was right.

The officer climbed into my car with me and only got out a few blocks away, when we were beyond the range of violence. The intimidation had succeeded. I had been silenced, and the false and horrible message had gone unanswered in the plaza near Faneuil Hall.

That is not the way the marketplace of ideas is supposed to work. It is not the conception of liberty for which Sam and John Adams spoke so eloquently and controversially in and around Faneuil Hall more than two hundred years earlier. It was far more reminiscent of rallies conducted by Nazi thugs in Berlin seventy years ago.

The shouters know that I will not be silenced or intimidated. Their goal is to silence and intimidate others who do not get police protection and do not have access to the media. The shouters in front of Faneuil Hall wanted no views but their own to be seen and heard, because they were certain that only their views were politically correct.

They succeeded that day in front of Faneuil Hall, as they have on some university campuses, where pro-Israel speakers—including

former prime ministers Ehud Barak and Benjamin Netanyahu—have been prevented from speaking by threats of violence, and where human rights heroes like Natan Sharansky have been shouted down by intolerant bigots who care nothing about human rights, except for the rights of those who share their extremist ideology.⁷ But the marketplace of ideas is far too vibrant to be shut down by a bunch of self-righteous ruffians shouting ugly and threatening epithets.

I have seen similar rage from audiences I addressed on university campuses in London, Toronto, Irvine, and elsewhere. Even in Iceland, there were some protests from university students when it was announced that I had been invited to speak about legal issues.⁸

I can only imagine how much more intense the hatred of Israel must be in some Islamic universities, mosques, streets, and terrorist training camps, especially in light of the daily diet of anti-Israel and anti-Jewish hate speech to which many young Muslims are exposed. Listen to the words of widely admired imams, whose incitements are broadcast on Hamas, Hezbollah, and even Palestinian Authority television and radio. (You can actually listen to and watch these hateful messages at memri.org.) Here is a representative example from Sheik Ibrahim Mudeiris, a paid employee of the Palestinian Authority (as broadcast on Palestinian Authority TV):

Allah warned His beloved Prophet Muhammad about the Jews, who had killed the prophets, forged their Torah, and sowed corruption throughout their history.

With the establishment of the state of Israel, the entire Islamic nation was lost, because Israel is a cancer spreading through the body of the Islamic nation, and because the Jews are a virus resembling AIDS, from which the entire world suffers.

You will find that the Jews were behind all the civil strife in this world. The Jews are behind the suffering of the nations. . . .

They are committing worse deeds than those done to them in the Nazi war. . . .

Listen to the Prophet Muhammad, who tells you about the evil end that awaits Jews. The stones and trees will want the Muslims to finish off every Jew.

Now listen to Dr. Ahmad Abu Halabiya, speaking from a large mosque in Gaza:

Have no mercy on the Jews, no matter where they are, in any country. . . . Wherever you are, kill those Jews and those Americans who are like them. . . . They established Israel here, in the beating heart of the Arab world, in Palestine . . . to be the outpost of their civilization—and the vanguard of their army, and to be the sword of the West and the Crusaders. . . .

We will not give up a single grain of soil of Palestine, from Haifa [to] Jaffa.

In addition to these broadcasts, Hamas publishes a children's magazine (posted online at www.al-fateh.net) that, according to an analysis by Memri, features

stories, poems, riddles, puzzles, etc., [that] includes incitement to jihad and martyrdom and glorification of terrorist operations and of their planners and perpetrators, as well as characterizations of Jews as “murderers of the prophets” and laudatory descriptions of parents who encourage their sons to kill Jews. . . .

Some issues feature stories with martyrdom themes, including characters who express a wish to die in battle and meet the virgins of Paradise, and parents who rejoice at their son's death in a jihad operation and celebrate by uttering cries of joy and handing out sweets.

But not all hatred emanates from young American hooligans, like those who confronted me at Faneuil Hall, or brainwashed Muslim extremists. Just go online to huffingtonpost.com, a relatively mainstream blog, and peruse the readers' comments related to Israel. Or listen to Pacifica Radio, especially the call-ins. The irrational hatred expressed by relatively well-educated people is staggering. There is nothing comparable regarding any other nation.

Nor is any other nation so routinely subjected to vilification by European politicians and diplomats. Clare Short, the former secretary of state for international development in the UK Labour

government, has said that Israel will cause the end of the human race because it diverts the world's attention from the problem of global warming.⁹ Not China, the United States, or other large polluters, but tiny Israel, which is one of the most environmentally conscious nations in the world.

In 2001, the ambassador of a major European Union country politely told a gathering that the current troubles in the world were all because of “that shitty little country Israel.”¹⁰ The ambassador was later identified as Daniel Bernard, who was representing France in the court of St. James's. He refused to apologize or withdraw his remark.¹¹ (Israel has contributed more to the world over the last sixty years than France has, not only in proportion to its population, but in absolute terms as well. France collaborated with fascism, deported its Jewish citizens to Auschwitz, fought one of the dirtiest wars in history to defend its colonial rule over Algeria, and has cynically placed its own interests over those of its allies by collaborating with some of the greatest evils in the world, such as the Iraqi and Iranian nuclear weapons programs. Moreover, Israel's Muslim population is, by every measurable standard, better off and better treated than France's. For a French diplomat to demean Israel is the height ofchutzpah.)

Because of my support for Israel, I have received bigoted threatening letters from university professors, such as Robert Trivers, a Rutgers evolutionary anthropologist with a reputation for barroom brawling. He threatened to “visit” and confront me “directly” if I continued to make the case for Israel: “If you decide once again to rationalize [Israel's military actions] publicly, look forward to a visit from me. Nazis—and Nazi-like apologists such as yourself—need to be confronted directly.”

Other hate mail has included more threats, swastikas, poetry, cartoons, and other drivel with tasteless erotic insinuations. I make it a point to display these hateful and threatening missives on my office door, for students and other visitors to see. Those who peruse them are shocked at their virulence. I believe it is important for my students to know what they may encounter if they become public advocates for a peaceful and just resolution

of the Arab-Israeli conflict.¹² These missives are not directed at me personally. These people do not know me. They are directed at Israel *through* me because I am viewed as an advocate for the Jewish nation, which is the true object of their hatred.

I have devoted countless hours to thinking about the sources of this irrational, even “eroticized,” hatred toward an admittedly imperfect democracy that is the object of such disproportionate vilification. No single explanation seems to suffice. Israel’s close association with the United States, global dependence on Arab oil, or sympathy with Third World movements may all play some role. It seems likely, however, that Israel’s status as the world’s only Jewish state (on a planet with dozens of Islamic, Christian, Buddhist, and other religiously and ethnically defined nations) is an important factor in the hatred directed at it.

Hatred alone, of course, does not endanger a nation or a people, but hatred combined with power does, as evidenced, most tragically, by the Nazi hatred turned to genocide by German military power. Although overwhelming military power of the kind possessed by the Germans in the late 1930s and early 1940s is the most dangerous, it must never be forgotten that the Nazi war machine came to power through the use of politics, the media, religion, and even academia.

That is why these and other enemies of Israel must be answered in the open marketplace of ideas. They cannot shout down a book, although their predecessors burned books with which they disagreed. Justice Robert Jackson, the chief U.S. prosecutor at Nuremberg, paraphrased Heinrich Heine when he said that those who start by burning books often end by burning people, as the Nazis infamously did.

Today Israel faces the military power of Iran, with its unmistakable intention to develop deliverable weapons of mass destruction that are capable of burning and otherwise murdering millions. It also faces military threats, though not of an existential nature, from Hezbollah, Hamas, Syria, al-Qaeda, and perhaps other nations and groups. These military threats are enhanced by political, academic, and media threats from groups and individuals who

are determined to delegitimize, demonize, and destroy Israel. For example, the false claim that Israel is an apartheid regime can have no other purpose than to subject Israel to the fate of the prior apartheid regime: namely, white South Africa. The same is true of false claims of analogy to other illegitimate and deposed Nazi, fascist, colonialist, and racist regimes. Even the argument—rarely made in good faith—for a “one-state solution” to the Israeli-Palestinian conflict is a ploy designed ultimately to turn the secular, democratic Jewish state of Israel into yet another Arab state, most likely an Islamic fundamentalist tyranny.

Israel’s enemies off the battlefield—its political, academic, diplomatic, media, and religious enemies—may not pose the level of immediate physical danger that is inherent in Iran’s potential nuclear weapons, Hezbollah’s Katyushas, Hamas’s Qassams, or Islamic jihad’s suicide bombers. But the risk they do pose not only encourages Israel’s military enemies but also threatens Israel’s survival in more subtle but equally perilous ways. By constantly seeking to delegitimize Israel’s very membership in the community of nations, Israel’s nonmilitary enemies threaten the peace of the world. They destabilize public order by encouraging terrorism and rewarding those who would seek to destroy Israel (and other Western democracies) by force and violence.

When I write about Israel’s enemies, as I do in this book, I include only those who despise Israel as a Jewish nation and wish it ill, not those who merely criticize specific policies or actions. I also include those who single out Israel, and Israel alone, for sanctions such as boycotts, divestiture, censorship of its advocates, and other tactics designed to delegitimize the Jewish state among the community of nations. Some, such as Mahmoud Ahmadinejad, acknowledge—indeed, proclaim—hatred toward Israel. Others deny it, but, as I will show in the pages to come, their words and actions belie their self-serving disclaimers.

Israel’s most dangerous enemies are those who wield the power—political, academic, religious, and military—to challenge Israel’s continued existence as a Jewish, democratic, multiethnic, and multicultural state. These include Western political leaders,

led by former president Jimmy Carter, who would delegitimize Israel as an apartheid regime subject to the same fate as white South Africa; Israel's academic enemies, led by Professors Stephen Walt and John Mearsheimer, who would accuse supporters of Israel of dual loyalty and indeed disloyalty to the United States; powerful academic unions, such as those in Great Britain, which proposed (and continue to propose) a boycott of Israeli academics that threatens to isolate Israeli science, technology, and medicine; certain religious groups, such as the Presbyterian Church and the Tikkun community (led by Rabbi Michael Lerner), which would divest from Israel and Israel alone for its alleged human rights violations; media and academic extremists on the hard left and the hard right who single out Israel for special vilification; certain self-proclaimed "human rights" organizations that subject Israel to a double standard to which no other nation is held; the current Iranian regime, which threatens Israel's physical existence by its likely development of deliverable nuclear weapons that it has publicly said it would use against the Jewish state; and the emerging radical Islamic "crescent" that surrounds Israel, consisting of Iran, Syria, Hezbollah-controlled southern Lebanon, Hamas-controlled Gaza, and perhaps in the future other nations with increasingly radical Islamic populations.

The reason Jimmy Carter is so dangerous to Israel is that because of his high standing as a former president, he has mainstreamed the sort of political delegitimization and vilification of Israel that had previously been limited to the fringe left and the fringe right in the United States. If Carter's arguments remain un rebutted, it is only a matter of time before some younger mainstream American politicians pick them up and campaign against U.S. support of Israel. This would make Israel's very existence a matter of political dispute in the U.S. political system, whereas now America's support for Israel is a consensus issue in the political sphere. Were Israel to be abandoned by the United States—or even subjected to the kind of "even-handedness" that is characteristic of much of Europe—its continued existence would be imperiled. Even-handedness toward tyrannical regimes

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