



## ISRAEL NEWS

*A collection of the week's news from Israel  
From the Bet El Twinning / Israel Action Committee of  
Beth Avraham Yoseph of Toronto Congregation*

Human Rights Watch has lost critical perspective on a conflict in which Israel has been repeatedly attacked by Hamas and Hezbollah, organizations that go after Israeli citizens and use their own people as human shields. These groups are supported by the

government of Iran, which has openly declared its intention not just to destroy Israel but to murder Jews everywhere. This incitement to genocide is a violation of the Convention on the Prevention and Punishment of the Crime of Genocide.

Leaders of Human Rights Watch know that Hamas and Hezbollah chose to wage war from densely populated areas, deliberately transforming neighborhoods into battlefields. They know that more and better arms are flowing into both Gaza and Lebanon and are poised to strike again. And they know that this militancy continues to deprive Palestinians of any chance for the peaceful and productive life they deserve. Yet Israel, the repeated victim of aggression, faces the brunt of Human Rights Watch's criticism.

The organization is expressly concerned mainly with how wars are fought, not with motivations. To be sure, even victims of aggression are bound by the laws of war and must do their utmost to minimize civilian casualties. Nevertheless, there is a difference between wrongs committed in self-defense and those perpetrated intentionally.

But how does Human Rights Watch know that these laws have been violated? In Gaza and elsewhere where there is no access to the battlefield or to the military and political leaders who make strategic decisions, it is extremely difficult to make definitive judgments about war crimes. Reporting often relies on witnesses whose stories cannot be verified and who may testify for political advantage or because they fear retaliation from their own rulers. Significantly, Col. Richard Kemp, the former commander of British forces in Afghanistan and an expert on warfare, has said that the Israel Defense Forces in Gaza "did more to safeguard the rights of civilians in a combat zone than any other army in the history of warfare."

Only by returning to its founding mission and the spirit of humility that animated it can Human Rights Watch resurrect itself as a moral force in the Middle East and throughout the world. If it fails to do that, its credibility will be seriously undermined and its important role in the world significantly diminished. (NY Times Oct 20)

*The writer, the former president and chief executive of Random House, was the chairman of Human Rights Watch from 1978 to 1998.*

## Events...

October 25

*Yeshiva University Torah MiTzion launch event, with Rav Herschel Schachter, at BAYT.*

December 13-22

*Join us for BAYT Brotherhood's Eighth Annual Solidarity Mission to Israel. Open to men and women. Call or email Moishe Posner [Moishe@GMDwholdesale.com](mailto:Moishe@GMDwholdesale.com) 416-878-6606 or Larry Zeifman [LWZ@Zeifmans.ca](mailto:LWZ@Zeifmans.ca) 416-256-4000 ext. 239.*

## Commentary...

**Rights Watchdog, Lost in the Mideast** By Robert L. Bernstein

AS the founder of Human Rights Watch, its active chairman for 20 years and now founding chairman emeritus, I must do something that I never anticipated: I must publicly join the group's critics. Human Rights Watch had as its original mission to pry open closed societies, advocate basic freedoms and support dissenters. But recently it has been issuing reports on the Israeli-Arab conflict that are helping those who wish to turn Israel into a pariah state.

At Human Rights Watch, we always recognized that open, democratic societies have faults and commit abuses. But we saw that they have the ability to correct them — through vigorous public debate, an adversarial press and many other mechanisms that encourage reform.

That is why we sought to draw a sharp line between the democratic and nondemocratic worlds, in an effort to create clarity in human rights. We wanted to prevent the Soviet Union and its followers from playing a moral equivalence game with the West and to encourage liberalization by drawing attention to dissidents like Andrei Sakharov, Natan Sharansky and those in the Soviet gulag — and the millions in China's laogai, or labor camps.

When I stepped aside in 1998, Human Rights Watch was active in 70 countries, most of them closed societies. Now the organization, with increasing frequency, casts aside its important distinction between open and closed societies.

Nowhere is this more evident than in its work in the Middle East. The region is populated by authoritarian regimes with appalling human rights records. Yet in recent years Human Rights Watch has written far more condemnations of Israel for violations of international law than of any other country in the region.

Israel, with a population of 7.4 million, is home to at least 80 human rights organizations, a vibrant free press, a democratically elected government, a judiciary that frequently rules against the government, a politically active academia, multiple political parties and, judging by the amount of news coverage, probably more journalists per capita than any other country in the world — many of whom are there expressly to cover the Israeli-Palestinian conflict.

Meanwhile, the Arab and Iranian regimes rule over some 350 million people, and most remain brutal, closed and autocratic, permitting little or no internal dissent. The plight of their citizens who would most benefit from the kind of attention a large and well-financed international human rights organization can provide is being ignored as Human Rights Watch's Middle East division prepares report after report on Israel.

**Do We Really Care About Jerusalem?** By Michael Freund

For a nation that swore an undying oath of loyalty to Jerusalem more than two millennia ago, we Jews sure have a funny way of showing it.

Indeed, more than four decades may have passed since Israeli soldiers bravely liberated the eastern part of the capital and reunited the city, but our control over its most sacred sites has never seemed so precarious.

Take, for example, the events of last week. During the course of the Sukkot festival, Israel's police succumbed to threats of violence from Palestinian and Arab leaders and barred non-Muslims from setting foot on the Temple Mount. Muslim women, and men over 50, were of course permitted to ascend freely.

Consider the irony of this situation: the guardians of law and order in the Jewish state saw fit to allow the followers of Muhammad to pray where Solomon's Temple once stood, but not the followers of Moses.

Adding insult to injury was an astonishing, though highly predictable, decision by Israel's Supreme Court, which on October 8 rejected a petition filed against the police over their policy prohibiting Jews from visiting the site.

The petitioner, Yehuda Glick, made a simple and compelling argument to the justices: what about the basic and fundamental right of

Jews to freedom of religion and worship?

Moreover, he pointed out, the police were trampling on the elementary principle of equality before the law by differentiating between Jews and Muslims.

But the august judges would have none of it. Tossing aside all those pesky "rights" and "principles," they preferred instead to accept the State attorney's claim that the police decision was based on the need "to preserve public order."

Now, you might be thinking: Isn't that as it should be? Who doesn't want "to preserve public order"?

But don't let such hogwash fool you.

If there is a threat to "public order," it emanates from the Arab rioters who gathered on the Mount on Yom Kippur and hurled stones at a group of French tourists visiting the site because they mistakenly thought they were Jews.

And if there is a real danger to public safety, it stems from the likes of the northern branch of Israel's Islamic Movement, whose leadership incited Arabs to "defend Al-Aksa mosque" knowing full well that violence would result.

But it most assuredly does not come from loyal, law-abiding Israeli Jews who merely wish to exercise their right to visit a holy site and commune with their Creator.

So if the police truly wish to preserve "public order," let them start by taking a stand in the face of the Palestinian rioters, thugs and hoodlums who resort to threats and violence to get their way.

Instead of blocking Jews from visiting the Mount, the police should escort them up there and arrest anyone who tries to prevent them from doing so.

It seems our leaders have yet to learn what Thomas Jefferson pointed out some two centuries ago - namely, "The most sacred of the duties of a government is to do equal and impartial justice to all its citizens."

That means when one group - in this case, Palestinian Arabs - tries to block another group (Israeli Jews) from effectuating their rights, it is the responsibility of the powers that be to come to the defense of the latter, rather than capitulate to the former.

But all this, unfortunately, has become par for the course in Israel. For years we have tolerated the intolerable and watched in muted silence as the Temple Mount slowly slips out of Jewish control.

Tangible proof of this can be found just a few minutes outside the Old City, at the Tzurim Valley National Park at the foot of Mt. Scopus.

It is there that a group of volunteers each day sorts through mounds of rubble dug up illegally by the Muslim Wakf (Islamic religious trust) on the Temple Mount over the past decade.

In a deliberate attempt to tighten their grip on the Mount and erase any evidence of a Jewish presence there, the Wakf has systematically burrowed under the site where the Temple once stood, in the process destroying invaluable archaeological and historical relics.

The Wakf then proceeded to unceremoniously dump the tons of wreckage near the Kidron river valley, right under the noses of Israeli authorities.

Officially known as the Temple Mount Antiquities Salvage Operation, the volunteers sifting through the piles are valiantly looking to rescue whatever remains of our ancient past. The program is run by the City of David (or Ir David) Foundation, and it has recovered some incredible items dating back to the First Temple period and beyond.

These include coins and pendants, mosaic tiles and pottery, and even a seal bearing the name of a priestly family mentioned in the book of Jeremiah.

When I visited the project last week, I was overcome with emotion as we sorted through the mud and "got our hands dirty" trying to recoup what is rightfully ours.

A few minutes later, as we separated the soil and rocks, several pieces of bone became apparent, sending a shudder through us all.

The staff member present quickly examined the findings, and identified them as being from an animal, noting that the single marks indicated they had probably been used in a sacrifice offered at the Temple.

Where else in the world, I wondered, can a Jew possibly connect in such a concrete and physical way with the glory of our magnificent heritage?

But amid all the excitement, there was something deeply unsettling about the whole experience.

After all, does it make any sense that in the sovereign Jewish state we are forced to pick through the refuse from our holiest site while foreigners defile it at will?

We may turn in prayer toward Jerusalem three times a day, plead for it to be speedily rebuilt, and even break a glass at weddings in memory of its grandeur. But if we really cared about Jerusalem, would we allow it to be sullied and despoiled so wantonly by our enemies?

The answer, of course, is no. We do love Jerusalem, and we do care for it, each of us in our own very personal way.

But as the events of recent weeks make clear, we need to start translating that concern into action, and do something to strengthen our collective hold on the Holy City.

So the next time you pray, add another plea for Jerusalem. Write your congressman and send a letter of protest to the White House. Make a donation to the City of David Foundation, or buy a home in Israel's capital.

Whatever it is, do something - now! - to keep Jerusalem Jewish. Before it slips through our hands once again. (Jewish Press Oct 14)

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## **Obama and Dalai Lama: Why Israel Worries about U.S. President**

By Dennis Prager

According to the Jerusalem Post, as recently as six weeks ago, just 4 percent of the Jews of Israel regarded President Obama as pro-Israel. Even if exaggerated, it is likely the most negative Israeli view of an American president since Israel's creation.

If you think Israelis are irrational in this matter, perhaps Tibet will help persuade you otherwise.

Yes, Tibet.

Whereas every Democratic and Republican president since 1991 has met with exiled Tibetan leader, the Dalai Lama, when he visited the United States, President Obama has decided that he will not do so during the Tibetan leader's visit to the United States. The president does not wish to annoy China's dictators prior to his upcoming visit to Beijing. As US News & World Report reported, "The U.S. decision to postpone the meeting appears to be part of a strategy to improve ties with China that also includes soft-pedaling criticism of China's human rights ..."

This is particularly troubling to Israelis because it means that an American president is placing appeasement of strong dictators above America's traditional defense of embattled small countries. (One assumes that the Taiwanese are equally worried; and the Iranian fighters for liberty have come close to giving up on Obama's America.)

The line between selling out Tibetans and selling out Israelis is a direct one. Even liberal New York Times columnist Maureen Dowd was disturbed by the president's snubbing of the Dalai Lama:

"Dissing the Dalai was part of a broader new Obama policy called 'strategic reassurance' - softening criticism of China's human rights record and financial policies to calm its fears that America is trying to contain it ... the tyro American president got the Nobel for the mere anticipation that he would provide bold moral leadership for the world at the very moment he was caving to Chinese dictators. Awkward."

The world is quite aware of the importance of Mr. Obama's snubbing the Dalai Lama. Dowd noted that: "In an interview with Alison Smale in The Times last week, Vaclav Havel ? pricked Barack Obama's conscience. Havel (who led) the Czechs and Slovaks from communism to democracy, turned the tables and asked Smale a question about Obama ? Was it true that the president had refused to meet the Dalai Lama on his visit to Washington?"

Those who worry about good and evil know that if America decides that the world's approval is important, evil will increase exponentially. Only an America willing to be disliked, even hated, will consistently support the smaller good guys against the bigger bad guys.

If America starts shaping its foreign policy based upon getting along well with everybody, it will become less tenable to support Israel. The number of people and countries that want Israel destroyed are far more numerous than tiny Israel and its people. The price of supporting free, democratic, tolerant Israel against its death-loving, totalitarian and authoritarian enemies is reduced popularity of America in those countries. And if America now values getting along well with everyone above moral considerations, the days of strong American support for Israel are numbered.

They may indeed be numbered for additional reasons. Having been awarded the Nobel Peace Prize, President Obama may be even less inclined to consider an American attack, or in any way countenance an Israeli attack, on Iran's nuclear weapons facilities. A Nobel Peace Prize laureate isn't supposed to support, much less initiate, first strikes.

Additionally, the president, given his yearning for a nuclear weapons-free world, may support an Iranian offer to disband its nuclear weapons program if Israel is forced to abandon its nuclear arsenal.

All this combined with the economically weakest America in memory - increasingly dependent on other countries to help prevent the dollar from becoming more like Monopoly money - means that the 96 percent of Israelis who do feel they cannot rely on this president of the United States as they have on prior presidents is, unfortunately, not irrational.

This president characterizes his presidency as essentially the opposite of that of his predecessor, George W. Bush. He may be right, as reflected by this note from the Washington Post: "The last time he (the Dalai Lama) was here, in 2007, George W. Bush became the first sitting president to meet with him publicly, at a ceremony at the Capitol in which he awarded the Dalai Lama the Congressional Gold Medal, Congress's highest civilian award."

If you were Israeli, which American president would you feel more secure with - the first one in 18 years who refused to meet with the Dalai Lama or the first one ever to meet with him publicly and give him a public honor? (Jewish World Review Oct 20)

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### **Why Make A Fuss About J Street?** By Isi Leibler

This weekend J Street is launching its first major convention at which it claims 160 members of Congress and a number of former Israeli left-wing politicians will participate. Only 18 months old, J Street already boasts of a \$3 million budget which, while minuscule compared to AIPAC's \$70 million, is nevertheless impressive. It also receives glowing liberal media coverage, especially from The New York Times.

American Jews take pride in being an open and pluralistic community. So why make a fuss about an organization, even if it does engage in activities that many would consider offensive? Besides, blackballing such a fringe group would lead to accusations of attempting to stifle freedom of expression and transform it into a martyr.

However, the fact is that no one is seeking to deny freedom of expression to J Street or other groups hostile to Israel. The issue is whether organizations should be able to exploit the Jewish community as launching pads to campaign against the Jewish state while presenting themselves as mainstream Jews.

Most Jews would concur that a red line should be drawn between legitimate criticism of Israel and concerted campaigns to pressure the US or any government to force the democratically elected government of Israel to make concessions which could imperil the lives of its citizens.

J Street has crossed that red line even though it continuously recites the mantra that it is "pro-Israel," insisting that while it "disagrees with certain Israeli government policies our bottom line is that we always support the State of Israel and its future as a democracy."

Or to quote executive director Jeremy Ben-Ami "we are trying to define what it means to be pro Israel... you don't have to adopt the party line."

Yet J Street has the chutzpa to openly campaign against Israel on the grounds that it possesses a superior understanding of what is best for Israelis. It obscenely spins this by likening itself to parents who are obliged to employ "tough love" with children who are drug addicts. It is surely unconscionable for Jews resident in America to lobby their government to pressure Israelis, contrary to their will, to take steps that could have life and death implications.

In fact, J Street's policies are more extreme than even their radical Israeli counterparts. During the conflict with Hamas, which was endorsed by all Jewish political parties in the Knesset, J Street proclaimed that Israel's "escalation in Gaza would be counterproductive" and was "disproportionate." It also alluded to a moral equivalency between the policies of Israel and Hamas, stating that it found difficulty in distinguishing "between who is right and who is wrong" and "picking a side."

Rabbi Eric Yoffie, head of the US Reform movement (who inexplicably will now be participating in the J Street convention) then

described J Street's views as "deeply distressing, morally deficient and profoundly out of touch with Jewish sentiment and appallingly naïve."

J Street also "opposes the role of force by Israel or the United States" against Iran and even canvassed Congress to block a bipartisan resolution calling for tougher sanctions. It also urges the US and Israel to negotiate with Hamas. Despite President Barack Obama having done so, J Street chief Ben-Ami refused to endorse Israel as a "Jewish state" relating to it as a "Jewish democratic home in the State of Israel."

J Street also raises the issue of dual loyalties which has been resurrected by anti-Semites in recent times. Ben-Ami expresses concern about "the impact of Israeli policies on our interests as Americans and Jews," suggesting that continued "blind" support for Israel would lead to alienation from the American public which would conclude that Jews display greater loyalty to Israel than America.

J Street raised similar sentiments when it defended Obama's initial choice of Chas Freeman, the fiercely anti-Israeli former ambassador to Saudi Arabia, to become chairman of the National Intelligence Council. Not coincidentally, Stephen Walt the coauthor of the viciously anti-Israeli The Israel Lobby and Foreign Policy publicly hailed the emergence of J Street as "good news."

An even more ominous cause for concern was the recent disclosure that Arab and even pro Iranian elements were funding J Street. One donor and member of the organization's finance committee, Genevieve Lynch, was a participant of the National Iranian American Council. Judith Barnett, a former registered agent for Saudi Arabia, is a donor and serves on the J Street Advisory Council. Nancy Dutton, until 2008 an attorney for the Saudi Arabian Embassy, donates to J Street's political action committee which has been financing anti-Israeli congressional candidates.

IN SHORT, J Street has established a virtually consistent track record of hostility against Israel. One has yet to see it release a single statement backing Israel on any substantive issue. It vigorously campaigns to pressure the US government to be "tough" and force Israel to make unilateral concessions. It financially supports the election of anti-Israeli congressmen and raises the specter of dual loyalties. It continuously defames mainstream Jewish organizations, depicting them as extremists. It receives financial support and praise from Arabs and foes of Israel. To suggest that such an organization is "pro-Israel" is utterly preposterous.

Today Israel is undergoing a critical phase in its relationship with the US. The pressures on the Jewish state are not limited to calls to freeze settlements. In the aftermath of the toxic Goldstone report, Israelis travelling abroad may now face the threat of prosecution. Israel also faces the challenge of defining defensible borders and addressing the danger of a nuclear Iran. In these and other existential challenges, Israel is largely dependent on US support which J Street seeks to undermine.

There is no doubt that the vast majority of committed Jews are outraged by a Jewish organization whose principal raison d'être is to lobby the US to act harshly against Israel. The limited support J Street enjoys comes principally from those uninvolved in Jewish life. Indeed, Ben-Ami even told The New York Times that his members are comprised primarily of intermarried youngsters who attend "Buddhist Seders." That probably explains why J Street could endorse the staging of the contemporary anti-Semitic blood libel play Seven Jewish Children.

No one seeks to deny Israeli bashers freedom of expression. But there is a need to make the public aware that J Street represents an insignificant group of uncommitted Jews. It must be exposed as hostile to Israel and marginalized from the Jewish community. If Americans understand this, J Street's ability to undermine Israel will largely be neutralized. (Jerusalem Post Oct 21)

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### **It Looks Like Law, But It's Just Politics** By Warren Goldstein

Much has been written and said about the inaccuracies, shortcomings and the moral inversion of the United Nations Human Rights Council's Mission presided over by Judge Richard Goldstone and his three fellow members. Most critics have understandably addressed the political and military issues involved. It is important, however, also to deconstruct the Goldstone Mission's Report from a legal point of view.

This is so because the report uses the veneer of respectability that comes with legal methodology, and with the presence of an internationally respected judge, to gain credibility. Law is a very powerful weapon to give respectability to contemptible actions and opinions. The South African

Apartheid Government was very legalistic in its approach to racial oppression, and was punctilious about promulgating proper laws, and about maintaining a fully functioning judiciary to give the façade of respectability to its repugnant policies.

The United Nations, through its various organs, but particularly through its Human Rights Commission, uses the superficial veneer of law and legal methodology to give credence and credibility to its anti-Israel agenda. The Goldstone Mission is a case in point. Careful analysis reveals that the legalities utilized are merely a cover for a political strategy of delegitimizing Israel. Judge Goldstone claims that the Mission "is not a judicial enquiry [but is] a fact-finding mission."

This is a distinction without a difference. The Mission's Report makes numerous factual findings, and some legal, just as if it were a judicial body.

The Report could have salvaged some measure of integrity had it stated that its findings, both legal and factual, were only *prima facie*. It did not do so.

Judges make factual and legal findings which have practical implications. There are very real consequences for Israel resulting from the findings of the Mission. Apart from holding Israel liable in international law to pay war reparations, Judge Goldstone refers the findings to the highest authorities of international law, including the United Nation's General Assembly and the Security Council, and he recommends the commencement of criminal investigations in the national courts of the state signatories to the Geneva Convention of 1949. Of course, the Report also inflicts very great and real harm to Israel's reputation in the court of world opinion. This has serious political, economic and military implications for Israel's future, and for its very survival.

Any civilized legal system requires that justice be done on two levels: procedural and substantive. The Goldstone Mission is replete with procedural and substantive injustices. From a procedural point of view, there are four main areas of injustice.

Firstly, the Human Rights Council's Resolution S-9/1 establishing the Mission expressly states that it "[s]trongly condemns the ongoing Israeli military operation [in Gaza] which has resulted in massive violations of the human rights of the Palestinian people," and in so doing pre-judges the guilt of Israel. The Resolution refers many times to Israel's guilt in a very lengthy document which is phrased in wide, undisciplined and aggressive language. Furthermore, it calls upon the Mission to investigate Israel's conduct and not that of Hamas. Although Goldstone and the President of the Human Rights Council purported to extend the ambit of the mandate, the legal basis for their doing so without the express authority of the Council is not clear.

The second procedural injustice is that the members of the Mission publicly expressed beforehand their opinions on this conflict. The most explicit in this regard, Professor Christine Chinkin, was one of the signatories to a letter published in the Sunday Times of London which stated that "Israel's actions amount to aggression, not self-defense, not least because its assault on Gaza was unnecessary." The letter is published under the heading "Israel's bombardment of Gaza is not self-defense - it's a war crime."

The other three members, Judge Richard Goldstone, Hina Jilani and Desmond Travers, all signed a letter initiated by Amnesty International stating: "Events in Gaza have shocked us to the core." Thus, all four members of the Mission, including Goldstone himself, expressed public opinions concerning the Gaza conflict before they began their work.

Thirdly, the Goldstone Mission violated another basic principle of justice, *audi alteram partem* - let the other side be heard. At least due to the procedural injustices already referred to, the State of Israel correctly refused to cooperate with the Mission. Once it had done so the Mission ought, if it were objective and fair, to have accepted Israel's right to remain silent and then ought to have desisted from making findings whether factual or legal. But it did not do so, and as any lawyer knows unanswered allegations often prove unreliable and in almost all conflict situations there are serious disputes of fact, and often of law as well.

The Mission's findings were based on accepting the allegations of only one party to the conflict. The Mission did not try to cross-examine or challenge the witnesses in any real way. There is a lengthy, fascinating article by Jonathan HaLevi of the Jerusalem Center for Public Affairs in which he analyses in detail the methodology employed by the Mission in respect of witnesses. He demonstrates that there was a lack of adequate cross-examination of the testimony of the witnesses. Unproven allegations

of Hamas officials were accepted as established facts. Even the most basic questions were not asked; when, for example, allegations were made of Israel's bombing civilian installations, witnesses were not asked whether there were Hamas fighters or weaponry in the vicinity, or whether any attacks had been launched from the area.

There is a fourth procedural injustice which undermines the integrity and credibility of Judge Goldstone and the three other members of the Mission: There simply was not enough time to do the job properly.

Any lawyer with even limited experience knows that there was just not sufficient time for the Mission to have properly considered and prepared its report. One murder trial often takes many months of evidence and argument to enable a judge to make a decision with integrity. To assess even one day of battle in Gaza with the factual complexities involved would have required a substantial period of intensive examination. According to the Mission's Report, the Mission convened for a total of 12 days.

They say that they considered a huge volume of written and visual material running into thousands of pages; they conducted three field trips; there were only four days of public hearings; and yet in a relatively short space of time the members of the Mission agreed to about 500 pages of detailed material and findings with not one dissenting opinion throughout.

They made no less than 69 findings, mostly of fact, but some of law and within those 69 there were often numerous sub-findings.

All of this was quite simply physically impossible if the job had been done with integrity and care.

The fourth procedural injustice also demonstrates the total sham of this process.

The substantive injustices of the Goldstone Mission's Report are too numerous to mention in this article, but one illustrates how far the Mission was prepared to go, and that relates to the very important legal element of intent. Goldstone and his Mission impute the worst of intentions to the actions of the State of Israel, finding that Israel's conduct was motivated by a desire to repress and oppress, and to inflict suffering upon the Palestinian people, and not primarily for the purpose of self-defense. It does this without any evidence and then, without any supporting evidence, asserts that many of Israel's military operations such as that of Lebanon were motivated by the same goal.

The Mission fails to mention a modern leading military expert, Colonel Richard Kemp (the former commander of British forces in Afghanistan), who said, "From my knowledge of the IDF and from the extent to which I have been following the current operation, I do not think there has ever been a time in the history of warfare when an army has made more efforts to reduce civil casualties and deaths of innocent people than the IDF is doing today in Gaza."

By contrast, on the Palestinian side, there is very clear evidence as to Hamas's intentions - the Hamas Charter openly calls for the destruction of Israel, irrespective of borders. It also calls for the murder of all Jews worldwide. Hamas's clear intention was to murder as many Israeli civilians as possible and to use its own civilian population as human shields. But not a word of Hamas's expressly stated intentions appear in the report.

One aspect of the evidence, presented to but not accepted by the Goldstone Mission, was that of Hamas leader Fathi Hammad, who said: "This is why we have formed human shields of the women, the children, the elderly and the mujahideen, in order to challenge the Zionist bombing machine. It is as if we are saying to the Zionist enemy: We desire death while you desire life."

These procedural and substantive injustices demonstrate the complete lack of integrity and fairness of the process. It looks like law, but it is not. It is just politics.

The Goldstone Mission is a disgrace to the most basic notions of justice, equality and the rule of law. And it is dangerous. Injustice will only lead to more death and destruction.

The Talmud says "The world stands on three things: truth, justice and peace." These three values are linked. There can never be peace without justice and truth.

The Goldstone Mission is unjust and wanting in truth. It has, therefore, harmed the prospects for peace in the Middle East.

*The writer, who has a PhD. in Human Rights Law, is the chief rabbi of South Africa. (Jerusalem Post Oct 15)*