



## Commentary...

**Palestinians in Syria Killed, Injured, Displaced** By Khaled Abu Toameh  
*Arabs, Human Rights Organizations, Media Yawn*

It is not only the Arabs and the Palestinian governments who are turning a blind eye to the mass displacement of Palestinians. Human rights organizations and the mainstream media in the West are also ignoring the plight of the Palestinians. This is, after all, a story that lacks an anti-Israel angle.

More than 55,000 Palestinians have been forced to flee Syria to Lebanon and Jordan over the past two years, according to figures released by the United Nations Work and Relief Agency [UNRWA]. According to Palestinian sources, more than 2,000 Palestinians have been killed in Syria, most in recent months, by both the rebels and the Syrian army. Most of the Palestinians who fled Syria have found shelter in neighboring Lebanon, where more than 500,000 Palestinians live in several refugee camps in different parts of the country.

It is worth noting that Palestinians in Lebanon are subjected to apartheid laws that deny them work, social and health benefits, and freedom of movement.

UNRWA now estimates that approximately 235,000 Palestinians have been displaced inside Syria since the beginning of the conflict two years ago.

Just two weeks ago, some 6,000 Palestinians were expelled from their homes in Ein al-Tal, a refugee camp near Aleppo in northern Syria.

This was not the only UNRWA-run refugee camp in Syria to be targeted by both the opposition and forces loyal to President Bashar Assad.

"Ein al-Tal is the latest manifestation of a cycle of catastrophic violence in which the conduct of all parties has transformed refugee camps into theaters of conflict in which heavy weapons are used, resulting in severe suffering for Palestinian civilians," UNRWA said in a statement. "Palestinian refugees in Syria are being killed, injured and displaced in greater numbers than even before."

And what have the Palestinians' two governments – Hamas in the Gaza Strip and the Palestinian Authority in the West Bank – done to help the displaced Palestinians? Almost nothing, according to the displaced families.

What have the Arab countries done to help the Palestinians fleeing Syria? Almost nothing.

Neither the Palestinian governments nor the Arab countries have even asked for an emergency UN Security Council session to discuss the new Palestinian tragedy. Palestinian Authority President Mahmoud Abbas is too busy touring the world and fighting with his prime minister, Salam Fayyad.

The Hamas government is too busy inciting Palestinians and preparing for the next wave of terror attacks against Israel.

As for the Arab countries, why should they care about Palestinians when hundreds of Syrians are being killed every day and no one in the Arab world seems to care?

It is no secret that most of the Arab governments despise the Palestinians and continue to treat them as third-class residents and a potential threat to Arabs' national security. The Arab League foreign ministers who recently met with US Secretary of State John Kerry in Washington did not even bother to raise the issue of the hundreds of thousands of Palestinians who were forced out of their homes in Syria.

For these ministers and the Palestinian Authority and Hamas, construction in an Israeli settlement in the West Bank is more urgent than the lives of thousands of Palestinians and Syrians.

But it is not only the Arabs and the Palestinian governments who are turning a blind eye to the mass displacement of Palestinians. Human rights organizations and the mainstream media in the West are also ignoring the plight of the Palestinians. This is, after all, a story that lacks an anti-Israel angle. (Gatestone Institute May 10)

## 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*

### Partition Plan for Jerusalem

By Hagai Segal

The prime minister gave Jerusalem an odd gift on its holiday: A construction freeze. On the 46th anniversary of the city's liberation by a Labor government, a Likud government is freezing it. Levi Eshkol

liberated, Benjamin Netanyahu is freezing. He hardly built any homes in Jerusalem during his previous term, and now he is not building any at all. The new housing minister revealed this week that he is not being authorized to add even one apartment to the capital. The prime minister summoned him a few days ago and handed him a freezing order for all construction beyond the Green Line.

To his credit, Netanyahu did not attend the Jerusalem Day ceremonies this year, so we were spared the traditional dissonance between his tough talk and lack of action. Praising a united Jerusalem while dividing it is extremely hypocritical. Netanyahu is forbidding Jews from building in Pisgat Ze'ev but does nothing to prevent Arabs from building in Shufat, Beit Hanina and the Temple Mount.

Israel's capital can expand only to the east or the north, as the City has run out of land reserves in its western part long ago. It is no coincidence that the most talked about building project in Jerusalem over the past decade has been the Holyland apartment complex. Despite its immense size, the project did not solve the housing shortage in the city or thwart the threats of withdrawal it faces.

When Netanyahu froze Jerusalem during his last term, on the occasion of Biden's visit, it caused an uproar in the Right. This week, even the most hardline Likud members did not say a word. News of the construction freeze was received with shrugs or lip biting. The former Likud rebels have become deputy ministers, and the Likudniks have yet to realize that Netanyahu version 2013 is cruising toward the 1967 lines.

Today, Netanyahu is closer to Zahava Gal-On than to his old self. His diplomatic rhetoric is Tzipi Livni's rhetoric. On Independence Day he delivered a leftist speech to foreign diplomats in which he lauded the tenets of the 1947 Partition Plan (he said something along the lines of 'we said yes to it then, and we say yes to it now').

People still suspect, mistakenly, that he is not serious when he makes such statements, but he means what he says. If his party continues to devote itself to denial rather than protest, he may implement his plans as well. (Ynet May 13)

### A Rocky Road Ahead By Emily Amrousi

Two a.m. The thermometer shows a fever of 41 degrees Celsius (105.8 degrees Fahrenheit). It is the middle of the night. The baby is seven months old, and he is screaming his head off. The options quickly run through your mind, like a black jack dealer shuffling a deck of cards: What will be more dangerous -- drive him to the emergency clinic in Modiin or let him burn up?

The financial austerity measures in the national budget will hurt us all, but within all that budget noise, some of you are not hearing this: There is a mother in the State of Israel who can't drive her baby to see a doctor in an emergency because the only access road to and from her community is attacked every night by rock-throwing Palestinian outlaws.

Everything was calm here for a decade. Newcomers to the community didn't even think to get armored windows on their cars. Tourists came to see the glory and beauty of this virginal view. People on pathways were discussing real estate prices. But ever since last November -- when the IDF launched Operation Pillar of Defense in Gaza -- the façade of normalcy has begun to peel away. From zero violent incidents in 10 years, we are now facing dozens of incidents per week. No one put a stop to it when it began, and it is progressively getting worse and worse. Burning tires, obstacles on the roads (meant to force drivers to stop so that the attackers can pelt them with rocks fired from slingshots) and firebombs.

The settlers are speaking a new language. A language of shame. "I am scared," Racheli said to me. "Very scared."

"The first person that gets killed, we're out of here," said Michael.

Reut has begun locking her car doors from inside ("even though, in the event of an accident, it would make it more difficult to rescue me," she

says).

Talia waits by the gate until another car leaves the community and only then does she dare turn on the ignition. Traveling in convoys, like in 1948.

The new guidelines regarding the use of firearms in the event of rock throwing state that if the rock that has been thrown at you is already in midair, the rock thrower no longer poses a threat and therefore you must not fire at him. You could find yourself stopped in the middle of the road, a crowd of Arabs carrying metal bars and bricks surrounding your car (which is precisely what happened to D. S. from our community), they smash your windshield, but if you use a gun, you will spend the rest of your life, which the gun would have saved, in court defending your actions. And the soldiers? Under the current policy of containment they will stand in front of boulder-wielding terrorists and yell "Stop. Enough," in Arabic. In a worst case scenario, the soldiers will simply run away, like they did in several videos posted online this week.

The return of the roadside intifada is taking place under the radar. The gossip columns go on and on about a light traffic accident involving a famous newscaster, but the nurse who cared for the newscaster at the hospital and was then pelted with rocks on her drive home doesn't make the headlines.

The cold weapon terrorism only manages to breach the wall of media indifference when a three-year-old toddler ends up fighting for her life. A 53-year-old man who was seriously injured in the head by an angled iron rod last Saturday is not an interesting enough story to make it into the papers. Incidentally, even though he was in serious condition, the man was taken to the hospital in a private vehicle because even the ambulance that came for him was stopped by rock throwers.

Let us recall the first and second intifadas, the IDF's withdrawal from Lebanon, the uprooting of communities from Gush Katif: The violence never ends in the settlements. If you don't stop these things at the root, they will hound you all the way to the moon.

"You don't care about what happens in the outside world, all you care about is the settlements," a colleague wrote to me on my Facebook page recently. "Don't you think that's pathetic?"

Dear colleague: My son recently came home from school with a letter listing "methods of coping with the difficult reality" including voicing the child's emotions, legitimizing the child's thoughts and parent support groups. Just like in wartime. My son is eight. He tells me about his friend's dad who was hurt this week and the cards he traded at recess all in the same breath. Does that seem pathetic to you? Instead of science class, the kids had a thanksgiving party when Yonatan's family survived a firebomb attack. (Israel Hayom May 10)

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### **Hawking's Hypocrisy** By Yaakov Ahimeir

The regretful fact that the esteemed explorer of the cosmos, Professor Stephen Hawking, suffers from an ALS-related disease, does not mean he is exempt from public criticism. Such criticism is pertinent as a response to the Cambridge professor's severe propagandist blow against Israel.

After accepting an invitation to attend the President's Conference this June, where he was supposed to deliver the keynote speech, Hawking rescinded his attendance and announced last week that due to Israeli policies toward the Palestinians he would boycott the conference.

Hawking is perhaps the most famous scientist in the world today, in part because his incurable disease, which was diagnosed decades ago, has spared his prodigious intellect. He has visited Israel before, to accept a Wolf Foundation Prize in Jerusalem, but this time has succumbed to pressures from the movement promoting boycotts, divestment from, and sanctions against Israel.

Hawking, subsequently, has become the most prized jewel in the BDS movement's crown. It's also likely that Hawking's enlistment in the movement against Israel wasn't met with many obstacles. After all, his tenure at the prestigious British university provided the BDS movement an inherent advantage. It is located in the birthplace of the boycott movement.

As stated, however, none of this justifies withholding public criticism against Hawking or treating him with immunity. Let us be honest and straightforward: Hawking, by declaring his participation in the BDS movement against Israel, is engaging in pure hypocrisy. For it is only thanks to the Israeli, Jewish mind, can the paralyzed Hawking communicate with his surroundings.

Yes, Hawking is being accused of hypocrisy in the British media as well. The Guardian newspaper, which has never been accused of supporting Israeli policies, revealed last week that the famous scientist uses Israeli technology which serves as the basis for the computer software that helps him live his life. The technology was made by Intel, and Hawking has been using it since 1997, the same year the Israeli equipment was made available to him. This information was given to the The Guardian by Israeli attorney

Nitsana Darshan-Leitner.

We too, therefore, call on Hawking, if he still has an ounce of intellectual integrity, to also boycott and perhaps disconnect from the Israeli technology so crucial for him. Incidentally, Intel refused to respond to The Guardian's inquiries on the matter, but the newspaper did reveal a quote from Justin Rattner, Intel's chief technology officer, confirming the long-standing ties between Hawking and the company, and that Intel would be pleased to be able to continue these ties. Moreover, the company is working to enhance the renowned professor's interpersonal communication apparatus.

Intellectual integrity does not allow for partial boycotts. The boycotters must cease with their blatant hypocrisy and sacrifice their daily comforts for the sake of realizing their "holy" cause. They must stop using Israeli medicine and boycott computers and other high-tech equipment, all fruits of the Israeli mind. These are just a few examples of what the boycotters can expect to stop using. We've already said: If you want to boycott, sanction and divest, then do it all the way.

Right now this call is directed squarely at Hawking, but is also meant for anyone who chooses to follow in his corrupt footsteps. (Israel Hayom May 12)

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### **NGO's vs Those Who Serve** By Caroline B. Glick

In 2010, Cpl. Eleanor Joseph became the first female Arab combat soldier in the IDF.

Joseph, a Christian Arab told Ma'ariv that her good luck charm is a drawing of the Star of David with the caption: "I have no other land, even when my ground is burning." Her commander drew it for her.

Joseph explained, "It is a phrase that strengthens me. Every time I experience hardship, I read it. Because I was born here. The people I love live here: My parents, my friends. This is a Jewish state? Yes, it is. But it's also my country. I can't imagine living in any other place. I think every person should serve in the army. You live here? You make your home here? Then go defend your country. What does it matter that I'm an Arab?" Joseph's story represents an incipient trend of integration among Israel's Arab community.

Among other things, this is manifest in the consistently rising number of Israeli Arab students who elect to study in Hebrew-language schools and in the rising number of Israeli Arabs who elect to serve in national service, the civilian equivalent of military service.

A poll of Arab youth carried out in late 2007 made clear how widespread this integrationist impulse has become. Seventy-five percent of Arab youth aged 16 to 22 supported voluntary national service.

And yet, despite these sentiments and developments, Arab Israelis who seek to integrate into Israeli society and reject the separatist messages of their political leaders are forced to contend with extraordinary social pressures and even coercion to prevent them from acting in accordance with their wishes.

A study completed this week by Im Tirtzu exposes the vast array of NGOs generously funded by the supposedly pro-Israel New Israel Fund as well as by foreign governments which are running a campaign to oppose Cpl. Joseph and her comrades – Arabs and Jews alike. Since 1999, these groups have been conducting a campaign to undermine Arab integration into Israeli society specifically and to demoralize and reduce the social standing of those who serve in the IDF, national service and IDF reserves generally. The campaign is being carried out on a dual track of discouraging Israeli Arabs from serving in the IDF or national service, and of opposing government benefits to IDF veterans, reservists and those who undertook national service by claiming that these benefits unjustly discriminate against Israeli Arabs.

Im Tirtzu's report argues that the dual nature of the campaign, underwritten by the same funders, shows that the goal "is to prolong irredentism or non-integration of the Arab sector in order to encourage it to act as a sector demanding national recognition and advance the aim of transforming the State of Israel from a Jewish, democratic state into a bi-national state."

As the report notes, it is common practice in many countries to give government benefits and preferential treatment to military veterans and reservists. The US government provides massive assistance to veterans in employment, education, housing and other areas. The purpose of these benefits is to raise general motivation to serve and to reward those who have because the American people believe that their personal service advances the interests of American society as a whole.

To substantiate its claims against these NIF- and foreign government-financed Israeli NGOs, Im Tirtzu's organized its report as a timeline of efforts undertaken by various NGOs to advance the goals of Arab separatism and reducing the morale and social status of IDF and national

service veterans and reservists across the board.

Although the Hebrew-language report is worth reading in its entirety, a few examples will suffice to show the scope of these efforts.

In 1999, the Association for Civil Rights in Israel published a report which claimed it was discriminatory for workplaces to make military service a qualification for employment. The report went so far as to insinuate that Israel could be likened to South Africa's apartheid regime due to workplace preference for veterans.

That report was followed by a series of petitions to the High Court beginning in 2002 submitted by ACRI, Adalah and other groups to overturn laws and government decisions that give preferential treatment to IDF veterans and those who served in national service. The petitions have not led to outright court victories. But in a number of cases, the lawsuits were dropped after the government canceled the benefits under challenge.

These groups have opposed every sort of benefit, including tuition discounts for students, differential reductions on government child allotments for those who served in the military and national service and those who did not, preferential treatment in state land tenders and grants and other housing benefits.

Some of these court cases directly targeted benefits to Arab IDF veterans. For instance in 2005, Adalah petitioned the court against the Israel Lands Authority for making military service a requirement for receiving ILA land grants in Beduin villages. And in 2009, Adalah petitioned the court to revoke preferential treatment to Cirassian veterans in an ILA tender for homesteads in Kfar Kama, a Cirassian village in the Galilee.

ACRI receives nearly a million dollars every year from the NIF, and receives funding as well from the EU, the UK, Sweden, Norway, Netherlands, Spain, Belgium, the Ford Foundation and Christian Aid.

Adalah similarly receives massive funding from the NIF, the EU, Switzerland and Scandinavian governments through their joint foreign aid organs. It also receives funding from George Soros's Open Society Institute.

Some of the organizations involved are both funders and participants. For instance, the Abraham Fund has participated in High Court petitions against benefits to those who have served.

And it is also a donor to Mossawa, an Israeli Arab group involved in the campaign. Mossawa was co-founded by NIF's Shatil organization.

According to Im Tirtzu's report, active NGO campaigning against Israeli Arab national service and military service began in 2007. That year Baladna, which receives funding from the NIF, spearheaded what has become a continuous campaign to discourage Israeli Arabs from participating in national service. Baladna claims that national service is just military service in disguise.

In its words, "National service is a direct arm of the Israeli Occupation Army and of security frameworks that act and always have acted against the Arab population and the Palestinian nation generally. And so, all attempts to present the notion of civilian service as service for society are founded in a deliberate distortion directed at society generally and against the Arab sector in particular."

Following this line of reasoning, in 2010 Omar Nasser, the head of the Araba Local Council, kicked two Arab women serving in national service out of the local school. Defending his actions Nasser said, "I object in principle to the national service project because I view it as a means of paving the way for male and female volunteers to serve in the military in the future, and I strenuously object to that."

As the Im Tirtzu report indicates, the NGO-led campaign against Israeli Arab military and national service has contributed to a situation in which Israeli Arabs who support such service are subjected to physical abuse, social ostracism, humiliation and harassment.

In October 2012, the Forum for Military Service in the Christian Sector held a conference in Upper Nazareth whose purpose was to encourage Christians to serve in the IDF and national service. Three hundred people participated in the conference. One of the heads of Mosawa wrote a widely distributed article accusing the Christian leadership of collaborating with the IDF. She suggested blacklisting the communal leaders involved.

When word of the conference got out, one priest who participated was banned from the Church of the Annunciation. Another priest had his tires slashed and a blood-stained rag placed at his doorstep.

The children who participated in the conference were singled out for abuse. Their photos were disseminated on Facebook and in the Arab media. They were humiliated by their teachers and classmates.

Soldiers like Eleanor Joseph feel compelled to take off their uniforms before they return home, because when they have worn them home, they have faced harassment. One female IDF soldier reportedly was severely beaten by her neighbors.

The general campaign against benefits for IDF veterans and those who served in national service also involves a similar campaign to demoralize

high school students and encourage them not to serve. For instance, in 2008, Social TV, which is supported by the NIF and the US government, broadcast a propaganda film targeting Jewish Israeli youth. Its aim was to discourage them from serving in the IDF.

In 2009, 22 self-proclaimed feminist organizations, many of which are financed by the NIF, launched a campaign to support seven members of New Profile who are under police investigation for launching websites instructing young people how to dodge the draft – a felony offense.

But the main thrust of the anti-military campaign has been to prevent and undermine Knesset and government action to provide benefits for those who serve – Jewish and non-Jewish alike. According to Im Tirtzu, the campaign has intimidated Justice Ministry officials into obstructing bills still before committee hearings.

For instance, in May 2012, at a Knesset Economics Committee hearing on a bill to provide housing benefits for IDF reservists, MK Miri Regev said the bill was being held up because the attorney-general feared legal challenges in the High Court.

This week, the Ministerial Committee for Legislation approved a bill that would allow IDF soldiers to sue for libel those who wrongly accuse them of having committed war crimes during their military service. Justice Minister Tzipi Livni opposed the bill. Her opposition indicates that the bill may face a similar fate as the Knesset's attempt to provide benefits to reservists.

Military and national service are vital national institutions. Integration of the Israeli Arab community is a vital national interest. It is obscene that a handful of well-funded radicals are able to undermine them both – while paralyzing our representative institutions.

Im Tirtzu's report concludes with a list of recommendations the Knesset and government ministries should take to help those who serve the country, and to protect Israeli Arabs who serve and those who support them. While they are all correct, and should be followed, they do not go far enough. The time has come for the government and the Knesset to rein in the twin forces – the NGO sector and the legal fraternity – which in the name of "democracy" undermine our democracy.

Every election we send our representatives to the Knesset. And every election the vast majority of our elected representatives share our desire to support those who serve in the IDF and national service without reference to their religion, race or gender. We want to support them because they contribute to the general good of all of Israel.

But due to a handful of NGOs that receive their funding from outside Israel from governments and groups that do not share our values and interests, and due to the cooperation they receive from activist judges and radical Justice Ministry attorneys, the will of the people is stymied again and again and again. (Jerusalem Post May 10)

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## Rebut or Retract: A Public Challenge to Dershowitz

By Martin Sherman

*I have now joined this distinguished company of people who get booed for advocating territorial compromise in the interest of peace. That's why I will no longer lend my support to 'far-right pep' rallies of the kind I spoke at last week. – Alan Dershowitz, Jerusalem Post, May 5*

In many ways, Alan Dershowitz's somewhat puerile and petulant response to the derisive reception he was given by the audience at The Jerusalem Post Second Annual Conference in New York late last month vividly underscores just how bankrupt "The Case for Two States" has become.

True, Dershowitz has been a stout defender of Israel against its more vehement critics. For this he should be – and often is – commended.

But this does not give him a carte blanche to promote preposterous and perilous policy proposals – or immunize himself from censure when he does.

His intemperate reaction to the irreverent giggles that the plan he presented for restarting talks with the Palestinians – or at least, certain elements of the plan – elicited from the audience were hardly becoming of a figure of his stature.

Although a case could perhaps be made for greater courtesy from the crowd, Dershowitz's disparaging dismissal of his critics as "foolish" and "part of the problem, not the solution"; and his rather juvenile jibe that he reserved the right "to tell you what I think of you, and it's not much," hardly added to the force of his arguments.

His conference exchange apparently stung him sufficiently to prompt him into penning a riposte last Sunday, in The Jerusalem Post, titled "Jews who boo efforts to make peace."

In a display of pouting pique he, in essence, declared that henceforth he would confine the presentation of his blueprint for peace to more compliant and consensual crowds, sulking: "... I will no longer lend my

support to ‘far-right pep’ rallies of the kind I spoke at last week.”

When an ardent and articulate two-state advocate, such as Dershowitz, finds himself resorting to insults, rather than intellect, and vows to eschew endeavors to persuade dissenting audiences of the merits of his case, the arguments for it must be becoming terribly threadbare.

Of course, the JPost audience was not booing the idea of making peace, merely the idea that it could be attained by disproven methods of political appeasement and territorial concessions.

They can invoke both past precedent and political prudence in support of their skepticism and apprehension regarding the consequences of persisting with such a policy.

But in attempting to rebut his “right-wing” opponents, Dershowitz invokes straw-man tactics, endeavoring to contort and caricature, rather than contend with, their positions.

He thus attempts to discount his critics as an inconsequential group of shrill and irrational rejectionists, writing: “There are a small number of extremely vocal right-wing Jews who believe that retaining the entire West Bank is more important than trying to make peace with the Palestinians.”

Quite the opposite is true: There is a large – and growing – number of mainstream Jews, denied Dershowitz’s easy access to the media, who believe that relinquishing even the entire West Bank would not result in sustainable peace with the Palestinians.

When it comes to irrational obsession, this seems far more the case with proponents of Palestinian statehood, than with its opponents.

It is not so much that the latter are not prepared to give up anything to attain peace, but that the former are prepared to give up everything, even if peace is not attained.

For as we saw last month at the annual conference of the Institute for National Security Studies (INSS) in Tel Aviv, where the bizarre notion of “constructive unilateralism” was aggressively touted, there are a small number of extremely vocal left-wing Jews, with easy access to the media, who believe in relinquishing virtually the entire West Bank – even if this does not result in peace. Now there is irrational obsession for you.

I could go on analyzing and countering the bile-tipped barbs that Dershowitz hurls at his detractors, and demonstrate that they are both inappropriate and unconvincing. But rather than get embroiled in a petty tit-for-tat rhetorical duel, I should like to focus efforts on his overall proposal, and show why it is neither logically consistent nor operationally feasible.

At this point allow me to remark that occasionally, an irate talk-backer will complain that there is some repetition to be found in the arguments articulated in the almost 100 columns I have written in this section over the past two years. To be fair, there is some truth in the claim. But this is virtually unavoidable when the same delusional and dangerous ideas, like so many hydra-heads, keep appearing repeatedly, and need to be refuted repeatedly.

Accordingly, in the ensuing paragraphs I will, as I have done before, set out the glaring defects and deficiencies in Dershowitz’s proposal for peace with the Palestinians which make it unworthy of serious consideration.

But then, I shall call on him to rebut my contentions or to concede their validity, retract the proposal and refrain from its continued promotion.

You know, just so I won’t have to keep on repeatedly refuting it.

Readers will recall that Dershowitz suggests a scheme for reengaging the Palestinian Authority (presumably sans Hamas) in negotiations, in effect by offering it less – i.e. a conditional construction freeze – than what has already proven ineffective – i.e. an unconditional construction freeze.

Essentially, he counsels “putting the horse before the cart,” claiming: “The first issue on the table should be the rough borders of a Palestinian state.”

According to Dershowitz this can be done by “recognizing that the West Bank can be realistically divided into three effective areas:

- Those... relatively certain to remain part of Israel, such as Ma’aleh Adumim, Gilo and other areas close to the center of Jerusalem.
- Those...relatively certain to become part of a Palestinian state, such as Ramallah, Jericho, Jenin and the vast majority of the heavily populated Arab areas of the West Bank beyond Israel’s security barrier.
- Those reasonably in dispute, including some of the large settlement blocs several kilometers from Jerusalem such as Ariel (which may well remain part of Israel, but subject to negotiated land swaps).”

As for the mechanism of the construction freeze, he stipulates: “There would be no Israeli building in those areas likely to become part of a Palestinian state. There would be no limit on Israeli building within areas likely to remain part of Israel. And the conditional freeze would continue in disputed areas until it was decided which will remain part of Israel and which will become part of the new Palestinian state.”

Significantly, the said freeze would commence “as soon as the Palestinian Authority sits down at the bargaining table, and continue as long as the talks continue in good faith.”

While it might be unreasonable to expect Dershowitz to provide answers to questions as to the elaborate details of his scheme, he should be able to provide them on the many issues of major principle it raises.

For example, with regard to his confident assertion that certain area across the Green Line are “relatively certain to remain part of Israel,” would this, in Dershowitz’s eyes, include the contentions E1 area whose development has been endorsed by virtually all Israeli prime ministers, including Yitzhak Rabin, Ehud Barak and Ehud Olmert? If not, why not? After all, it is immediately adjacent to Jerusalem and comprises the territorial link between the capital and Ma’aleh Adumim, which Dershowitz designates as “relatively certain to remain part of Israel.”

Or does he recommend encapsulating Ma’aleh Adumim’s 50,000 Jewish residents within an isolated enclave almost completely surrounded by Palestinian territory, accessible only by a narrow, virtually indefensible – or at least easily disrupted – corridor? Would he envision the same fate for “other areas close to the center of Jerusalem” such as Pisgat Ze’ev and Givat Ze’ev, with a combined population of about 70,000 Jewish residents? Clarification would be greatly appreciated, as well as any indication of who in the PA agrees these areas should remain part of Israel?

As for the areas that “are in reasonable dispute,” would the freeze be placed on both sides of the dispute, or merely on the Jewish side? If not, why not? Clearly, if Jewish development is denied while Arab construction is allowed, the fate of these areas has been prejudged as being destined for inclusion in the putative Palestinian state, and their designation as “disputed” is deceptively misleading. So I would call on Dershowitz to enlighten us on this matter as well – a freeze on both sides, or only for Israelis? Dershowitz seems to expose his prejudice on this issue when he endorses “encourage[ing] residents [in these areas] to move to areas that will remain part of Israel, especially if the freeze were accompanied by financial inducements to relocate.”

A trenchant question immediately arises: Apparently Dershowitz sees no moral defects in providing financial inducements to fund the evacuation of Jews from disputed areas to allow their annexation to what, in all likelihood, will become a failed micromini-Islamist state and a forward base for radical terror groups. Accordingly, would he not agree that there is no moral defect in funding the evacuation of Arabs from these areas to allow their annexation to Israel, and to forestall the establishment of such a presumably undesirable entity? And if not, why not?

As we have seen, according to Dershowitz, the building freeze in the areas in “reasonable dispute” will continue “as long as the talks continue in good faith.”

Again, a trenchant question of principle arises: What would be the criteria for determining – and who would be the arbiter to determine – whether the talks were “continuing in good faith”? Obama? The State Department? The EU? Egypt? The Arab League? I am sure that, on reflection, Dershowitz might admit that this could be a touch problematic, with Israel risking being locked into a perpetual construction freeze by a biased adjudicator of Palestinian “good faith.”

Or would Israel be able to decide this unilaterally and revoke the freeze at will, whenever disagreement arose? If so, why would the Palestinians agree to an arrangement which gives Israel the power to judge their good faith? Prof. Dershowitz, could you elucidate?

Dershowitz talks glibly of widespread support among Israeli leaders for “a two-state solution that does not compromise Israel’s security.”

For a myriad of reasons that I and others have detailed elsewhere, this is unattainable “pie in the sky.”

I would challenge him (and indeed any senior Israeli) to show how any two-state configuration, even remotely acceptable to the Palestinians as a permanent resolution of the conflict, could be implemented without gravely compromising Israel’s security.

Unless, of course, wildly optimistic, and hence irresponsible, assumptions as to the future conduct of the Palestinians are made, envisioning them behaving in a manner diametrically opposed to the way they have behaved for decades.

In his writings, Dershowitz has shown himself to be alive to perils any such arrangement might create, threatening to bring the realities of Sderot to the Coastal Plain: “Someday Hamas might gain control over the Palestinian government, either by means of a coup, or an election, or some such combination of both. Israel cannot be asked to accept a fully militarized Hamas state on its vulnerable borders.”

The question is why risk a policy that may well precipitate an unacceptable situation which you will have no power to prevent?

I challenge Dershowitz to respond to the queries I raise and to rebut my critiques of his proposal. If he cannot, he should retract both the proposal and his pejorative portrayal of its critics. That would be no more than his moral and public duty. (Jerusalem Post May 10)