

Events...

Tuesday March 2, 8:00pm
Chezi Goldberg Memorial at BAYT.

Quote of the Week...

"Why does it strike you as odd that the Canadian Government talks about the imaginary "Green Line"? Don't most Canadian and US Jews do the same?" - Sergio Tezza, in letter to the Editor of the Jewish Tribune, commenting on an article in that paper criticizing the Canadian Government for refusing to pay a shiva call to the family of the late Canadian, Chezi Goldberg, killed in the January 29 terrorist attack in Jerusalem. (Jewish Tribune Feb 19)

From the PA Media...

Voice of Palestine Honors Rather Than Condemns Bus Bomber

Voice of Palestine Radio (VOP) (that is run by the PA and under the tight control of Yasser Arafat) referred to the man who committed the bombing of the bus in Jerusalem yesterday as a martyr ("shahid") in their news programs. They treated him royally both Sunday and Monday. Shahid is an honorary term given to someone who dies in battle. It is not conferred to a criminal. If the act was considered a criminal act then he would not be termed a martyr "shahid". It should also be noted that the pro forma condemnation broadcast in Arabic on VOP never said anything against the person who carried out the attack itself. Instead the "condemnation" explained the act - blaming it on Israel and voicing concern regarding its timing.

It is also noteworthy that Sunday's bombing was repeatedly described on VOP as "an explosive operation" without any negative terminology associated with it. In sharp contrast, the announcement of the demolition of the "martyr's house" by the IDF was termed "barbaric" with VOP urging Palestinians to come out of their houses to show resistance to the "racist Israeli threats".

At 6:00 PM Sunday night, right before the main evening news program, PA TV broadcast film clips openly encouraging attacks against Israelis. For example, they ran a clip of a small child no older than 6 - 7 years old singing to himself "by stone or by knife I will attack the enemy". The clip was several minutes long and this chorus was repeated many times. The clip demonstrates that the PA is actively encouraging attacks - even by youths. (IMRA Feb 23)

Commentary...

You Are Judging and I Am Burying My Husband By Fanny Haim, Fanny Haim, whose husband Yehuda was killed in Sunday's terrorist attack in Jerusalem, appeals to the judges in The Hague.

Today, in The Hague, you will sit in judgment. Today, I will bury my husband, my heart - which has been cut in two.

I am not a politician. I am appealing to you as someone who has lost her husband, a woman whose heart has been silenced - and a woman whose tragedy the separation fence could have prevented. I was married to Yehuda for 21 years. He was the love of my youth, since I was 15. Yehuda's sister is Israel's Economic Attaché in The Hague and works in the Embassy there. For months, she, her husband and the Embassy staff have been trying to open the world's eyes. For months, they have been fighting for the rights of the State of Israel. As for me, what could I have asked for? Only for my small right, my husband's right, the right to see our children grow and prosper, go to school and serve in the army.

I will no longer receive this right. But today, you can see to it that other Israeli families will merit this basic thing - to raise a happy family, to get up in

ISRAEL NEWS

A collection of the week's news from Israel
A service of the Bet El Twinning Committee of
Beth Avraham Yoseph of Toronto Congregation

the morning without ט"ז
bereavement, without gravestones, and without cemeteries. Today, as you begin your deliberations with open eyes, think, just for a moment, about the ordinary people behind this bloody conflict. Think for a moment about the golden heart of my husband Yehuda, and about our young son, Avner. Maybe you can explain to him - he's only 10-years-old - why in God's Name he doesn't have a father any more.

People will enter your hall today, who will speak, who will accuse. Mourners will enter my home and I will be unable to understand and I will certainly not be consoled. This evening, you will go home, kiss your spouses, hug your children - and I will be alone.

True, the politics are far from me, but now as the pain is far too close to me, I think that I have acquired, with integrity and with tears, the right to appeal to you and say: If there had been a fence all along the length of the state, then maybe I, just like you, could kiss my husband this evening.

Do not judge my country; do not restrain it from preventing additional people from becoming victims. Today, I am burying my husband; don't you bury justice. Fanny Haim (Yediot Ahronot Feb 23)

Roll Over and Die By Michael Freund

South Korea has one. So does Kuwait, Lithuania, Namibia, South Africa and India, not to mention Spain, Slovakia and even the US.

What these disparate nations all have in common is that each one has built, or is in the process of building, a security fence along one of its borders, either to keep out smugglers, thwart infiltrators or simply control the flow of people and goods across its boundaries.

But unlike Israel they also share another conspicuous trait: none of their barriers have been threatened with condemnation by the International Court of Justice, nor have they received round-the-clock coverage on CNN.

Each of these countries erected a fence for the simple reason that that is what states tend to do when they feel their interests are being threatened. Kuwait's was put up for fairly obvious reasons thanks to a once-hostile Iraq, while South Korea's barrier is intended to stave off a possible invasion from its Communist neighbor to the north.

Lithuania saw fit to draw a line in metal along its border with Belarus, just as Namibia did to neighboring Angola, India has done with Pakistan, and the US to Mexico. Slovakia and the Ukraine are similarly demarcated, while Saudi Arabia recently considered building a fence along its border with Yemen.

And the list does not end there.

Five years ago, Spain spent more than \$35 million erecting a 10-foot tall fence around its North African enclave of Melilla, cutting it off from the rest of Morocco. It consists of two rows of barricades, hi-tech security cameras, fiber optic sensors and a road to accommodate police patrols. The Spanish government went to all this trouble to stem the tide of Moroccans seeking to cross the border illegally.

Hey, now doesn't that sound familiar?

Even South Africa, which so brazenly criticized Israel at Monday's opening hearing at the Hague, has invested tens of millions of Rand in recent years to reinforce its own border fence along the Limpopo river, which delineates the boundary with Zimbabwe. The reason? To keep out cattle that might be carrying foot-and-mouth disease.

To which I cannot help but ask: why is it OK for South Africa to keep out the cows, but not for Israel to bar entry to suicide attackers?

For goodness' sake, there is even a border fence stretching for some 10 miles between England and Scotland, and they haven't fought a war against each other for centuries.

Nor can it be argued that the problem with Israel's fence is that it is not on a recognized border. Pakistan is protesting an elaborate fence erected by India in disputed Kashmir. Yet the world does not cry that India is stealing "occupied Pakistani territory."

"The fence will be a permanent barrier to prevent militants from entering," the head of India's Border Security Force in Kashmir told the Washington Post last summer. "Why should we wait for them to come in and attack our people?"

With so many fences going up in so many places around the world, why

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then is it Israel, and only Israel, which finds itself in the dock over this issue?

The answer, it seems, is quite simple: the world is essentially telling the Jewish state to roll over and die. They criticize us when we actively defend ourselves through military means, and now they aim to condemn us for adopting passive measures such as putting up a lousy fence.

Take, for example, UN Secretary-General Kofi Annan. Shortly after the Palestinians launched the present terror campaign in September 2000, Annan ascended the podium at the UN Security Council and called on Israel "to use non-lethal methods" when quelling outbreaks of Palestinian unrest (BBC, November 18, 2000).

And yet, when Israel proceeded to do just that by initiating construction of the security fence, Annan decided to lead the charge against it. In a report submitted to the UN General Assembly on November 24, 2003, he berated Israel for erecting the barrier, calling it "a deeply unproductive act".

So if Israel's use of military means against Palestinian terror is unacceptable to Annan, and he considers non-military means such as the fence to be "unproductive", then how exactly does the Secretary-General expect the Jewish state to protect its citizens?

Now don't get me wrong – I think the construction of the security fence is a pitiful substitute for an effective counter-terrorism policy on Israel's part. Indeed, rather than encircling the perpetrators of terror, the government is fencing in their intended victims.

But that in no way gives the nations of the world the right to stand in judgment of the Jewish state. Were they to find themselves in a similar situation, they would no doubt act to ensure the safety and security of their citizens.

In truth, it is not that the fence incorporates parts of Judea and Samaria that troubles our accusers, nor do they really care about the inconvenience it might cause to some Palestinians.

What truly seems to disturb them is that it just might save some Jewish lives. And that, as far as they are concerned, is perhaps the most unforgivable crime of all. (Jerusalem Post Feb 25)

The writer served as Deputy Director of Communications & Policy Planning in the Prime Minister's Office under Binyamin Netanyahu.

Terror's Friend in Court: Injustice in progress By Frank J. Gaffney Jr.

This week, the International Court of Justice (ICJ), popularly known as the World Court, is holding hearings that could result in an advisory opinion concerning the security fence now under construction by Israel. The immediate object of the exercise is to provide Arab and other opponents of the fence a new stick with which to pummel the Israelis. It is predictable, however, that the nation that stands to lose the most, ultimately, from the court's verdict — that is, its decision to interfere with the steps sovereign nations take concerning their security needs and how to satisfy them — will be the United States.

The court has been drawn into this precedent-establishing case by the United Nations' General Assembly, in which every member nation gets one vote, and the lowest common denominator of anti-Western and, most especially, anti-Israeli sentiment usually enjoys overwhelming majorities. Ninety nations in the General Assembly voted to approve a resolution put forward by Israel's enemies to portray the security barrier as an illegal and inhumane device, not least because of its location, in parts, on territory claimed by Palestinians.

Despite the opposition of the United States and some two dozen of the world's other leading nations, the ICJ is poised to do just that. After what will likely be perfunctory hearings starting Monday in the Hague, the Court is expected to render a conclusion that will legitimize a new torrent of invective against Israel. Worse, it may well precipitate demands that the U.N.'s Security Council give force to the Court's findings by imposing sanctions on Israel if it fails to halt construction of the fence. The Bush administration would be under intense pressure not to veto such sanctions, given its own stated opposition to the fence's construction (a position not seen as inconsistent with its view on the procedural question of whether the ICJ should be addressing this issue).

This process will penalize Israel, or at least further contribute to its pariah status in the United Nations, for doing nothing more than trying to protect its people from murderous suicide bombers and other terrorists in the most passive and nonviolent manner imaginable. Those much given to castigating the Jewish state for engaging in the sorts of counterterrorism operations that have resulted in the destruction of Palestinian terror cells, their leaders and bomb makers, and, on occasion, the unintended deaths of innocent bystanders, should commend Israel for adopting such a humane alternative.

To be sure, some of those now opposing Israel's security barrier might be willing to mute their criticism if only Israel would have the fence follow a different course; specifically, if it were to fence off the West Bank in much the same way Israel has protected itself from terrorists based in the Gaza Strip, namely along the so-called "Green Line" demarcating the territory Israel controlled prior to the 1967 Six-Day War from the areas it conquered during that conflict.

Doing so, however, would deny the fence's anti-terror protection to many tens of thousands of Israelis living in the West Bank. It would also effectively constitute a status quo ante boundary that would reward the Palestinians for their refusal to make peace with Israel. The upshot can only be further to intensify the confidence Yasser Arafat and his ilk already enjoy. Continued intransigence will eventually result in the realization of their ultimate and unchanging aspiration — the destruction of the State of Israel.

Unfortunately, the United States has an even bigger stake in this ICJ proceeding than the injury that will befall its most reliable and valuable — and only democratic — ally in the Middle East. As Ruth Wedgwood, one of the nation's most eminent and highly regarded experts on international law, recently put it:

The U.S. has no veto in the General Assembly, and we need to be concerned about the evasion of consent-based rules for international adjudication. The next request for an Advisory Opinion could ask the court, without U.S. consent, to pronounce on the legality of the war in Iraq or American attempts to stop the proliferation of nuclear material. Such opinions — even though non-binding under the U.N. Charter — are dangerous, because they are seen by the "victors" as conferring legitimacy on their position.

Indeed, one can only imagine the measures the United States would otherwise have taken to protect its citizens that it might now feel pressured to avoid, for fear of being subjected to General Assembly requests for World Court intervention and adverse opinions. Our conduct of the war on terror, including legal steps intended to secure the homeland — e.g., perhaps, our own security fence along the Mexican border — could conceivably be denounced by the ICJ and, thereafter, be viewed as illegitimate by the international community.

No good can come of any of this. While John Kerry clearly fancies the idea of expanding the power of the United Nations and subordinating American sovereignty to its dictates, most Americans appreciate that that would be a formula for disaster.

The United States should make clear to the United Nations that, as a matter of principle, it would be injurious to this country's future relationship with and funding for the International Court of Justice and its parent organization, the U.N., for the Court to issue an advisory opinion on the Israeli security fence. As Professor Wedgwood notes, the World Court has the right to decline to do so "in compelling circumstances." This certainly fits the bill. (National Review Feb 23)

The writer is the president of the Center for Security Policy.

A Brief to the International Court By Shmuel Katz

Over the next several days, the International Court of Justice (ICJ) will hold hearings so it can render a legal opinion on Israel's security fence. But the court has already indicated what its verdict is likely to be.

In a letter addressed to the Israeli authorities the ICJ refers blandly to the case of Israel's building a wall in the "occupied Palestinian lands." It is as if, at the opening of a trial, the judge were to announce "this is the case of the thief Mr. X."

The "occupied Palestinian lands" is indeed the term used by the General Assembly of the United Nations in its request to the International Court of Justice to present a legal opinion. This is the common language of Arab anti-Israel propaganda, a part of the Arabs' fictional history, which it has succeeded in disseminating throughout the whole wide world.

Its use by the UN, no mean participant in the propaganda war on Israel, is not surprising. The name ICJ, however, denotes a juridical body completely free of political leanings. The ICJ can surely not be blind to the fact that there are two sides to the dispute in Palestine, and that Israel rejects absolutely the notion that it is illegally holding "Palestinian lands."

Israel has a very valid claim to these lands, and to its right to do what it is doing there.

It is a claim backed not only by historical fact — which a modern judge may well ignore — but by substantial modern legal and historical testimony.

Regrettably, the court has already shown a sign of bias, apart from echoing the UN's "Palestinian lands."

Responding to Israel's objections to one of its members who had in the past made anti-Israel statements, and its request that he consequently recuse himself, the court made it clear that the opinions he expressed did not matter to the court because he made them before he became a member of the court.

The source usually quoted in support of the charge of illegality in Israeli occupation of Judea and Samaria is the Fourth Geneva Convention. The charge, however, is not upheld by the text of the Fourth Geneva Convention. To the contrary, the convention is simply irrelevant to the issue. It is, after all, a document containing a text, easy to read and understand, and this is what it says in Clause Two:

"The present Convention shall apply to cases of partial or total occupation of the territory of a High Contracting Party."

The territory wrested from Jordan by Israel (in a war of defense) was not territory of a High Contracting Party. Transjordan, Eastern Palestine, which was renamed Jordan after its invasion of Western Palestine and its illegal occupation of the provinces of Samaria and Judea, including the Old City of Jerusalem, did not thereby become their sovereign possessor — it was not a High Contracting Party at all, but an illegal occupier as a result of its aggressive war in 1948. It had no title whatsoever to land across the River Jordan.

We must go back a little to complete the picture — a task which should have been the first step by the ICJ before accepting the task of forming an opinion. After World War II, in 1948, Britain had to relinquish its Mandate for Palestine, which had been promulgated in 1922 for the express purpose of laying the groundwork for the Jewish National Home.

The United Nations — successor and heir to the League of Nations — decided to recommend the partition of Palestine into two states, one Jewish and one Arab. The Jews accepted this recommendation.

HAD THE Arabs — the League of Arab States — accepted the UN recommendation, they could have set up an Arab state at once. They did not do so. Instead, they invaded the territory of the Jewish state. They proclaimed that their objective was to destroy it.

They believed the infant state, alone and very poorly armed, would not

be able to withstand the attack by five well-armed states – Egypt, Iraq, Syria, Lebanon and Transjordan – with their armies and their arsenals. It would be destroyed in short order. The surviving Jews would be subjected to Arab rule over the whole of Palestine.

Hence the call of the Arab League to the Palestinian Arabs to leave home – and get out of the way of the invading armies. They would be able to return to their homes in a few weeks, they were told, and take over the property of the defeated Jews.

This proved wrong. After fierce battles and heavy casualties Israel survived, and the deluded Arabs who had left their homes could not return. But Transjordan retained the lands of Judea and Samaria and the Jordan Valley. Even then an additional Arab state could have been set up in the territories occupied by Jordan. Jordan did not try – it even annexed them; nor did the other Arab states sponsor such a state.

As for the Arab inhabitants, the Palestinians – who did not yet call themselves Palestinians – cheerfully accepted and held Jordanian citizenship.

In 1967 the Arab states once again made war, once again believing Israel could be defeated – indeed, the Egyptian leader of the combined Arab forces, Abdel Nasser, publicly promised Israel's annihilation. They lost, and it was then that the territory that had been occupied by Jordan for 19 years was taken by Israel.

Amazingly, a third chance was now given the Arabs, after their defeat, to declare another Arab state: Israel offered, in exchange for an overall peace with the Arabs, to return all the territory it had just won back.

The reply of the League (from a conference in Khartoum) was a resounding NO – no recognition of Israel, no negotiations with Israel, no peace with Israel.

Soon afterwards the Arabs achieved, with the help of their friends in the media, what was to be arguably their greatest propaganda success. The Security Council, after a long debate on the outcome of the Six Day War, passed Resolution 242, which called for Israel to withdraw from territories captured in the war to "secure and recognized boundaries."

This resolution manifestly meant that the sides – Israel and Jordan – would have to negotiate where those boundaries should be. A counter-resolution by the Arabs' friends on the council was submitted, adding the word "the" to territories, which meant that Israel, which had suffered the attack, been threatened with destruction, and had yet won the war, must accept defeat.

The counter-resolution was defeated – but no negotiations between Israel and Jordan based on Resolution 242 ever took place.

The Arabs' propaganda, using the defeated resolution as though it were Resolution 242, has persuaded many people that the falsified resolution justifies their claim that the Jewish presence beyond the Green Line in Judea and Samaria is illegal. It is thus on the basis of that falsification of Resolution 242 that the UN General Assembly requested a "legal" opinion from the ICJ.

There is no need for a new opinion. The true facts of the matter enshrined in the original UN and League of Nations documents are quite clear. The General Assembly of the UN is not an educational institution and its proposal to the ICJ is patently political.

The ICJ should not – for the sake of its own standing – let itself become complicit in this purely political manipulation. (Jerusalem Post Feb 24)
The writer, who cofounded the Herut Party with Menachem Begin and was a member of the first Knesset, is a biographer and essayist.

Seeing Anti-Semitism in 3D By Natan Sharansky

This week I took part in a conference on anti-Semitism in Europe. Hosted by the president of the European Commission Romano Prodi, the conference brought together leaders from around the world determined to fight the new wave of anti-Semitism that has engulfed Europe over the last few years.

The question is how the sincere intentions of the participants to combat this evil can be translated into effective action.

My experience has convinced me that moral clarity is critical in taking a stand against evil. Evil cannot be defeated if it cannot be recognized, and the only way to recognize evil is to draw clear moral lines. Evil thrives when those lines are blurred, when right and wrong is a matter of opinion rather than objective truth.

That is what makes the battle against the so-called new anti-Semitism so difficult. To the free world's modern eyes, classical anti-Semitism is easily discernible. If we watch films that show Jews draining the blood of Gentile children or plotting to take over the world, most of us would immediately recognize it as anti-Semitism.

Such movies, produced recently by the government-controlled media in Egypt and Syria and broadcast via satellite to hundreds of millions of Muslims around the world, including millions of Muslim immigrants in Western Europe, employ motifs and canards that are familiar to us.

But the new anti-Semitism is far more subtle. Whereas classical anti-Semitism was seen as being aimed at the Jewish religion or the Jewish people, the new anti-Semitism is ostensibly directed against the Jewish state. Since this anti-Semitism can hide behind the veneer of legitimate criticism of Israel, it is much more difficult to expose.

In fact, over the past year, whenever we have criticized particularly virulent anti-Israel statements as being rooted in anti-Semitism, the response has invariably been that we are trying to stifle legitimate criticism of Israel by deliberately labeling it anti-Semitism.

What emerged from this conference was an admission by European leaders themselves that not all criticism of Israel is legitimate. This recognition was evident in the remarks of President Romano Prodi, German Foreign Minister Joschka Fischer and other officials.

If not all criticism is valid, how then do we define the boundary line?

I propose the following test for differentiating legitimate criticism of Israel from anti-Semitism. The 3D test, as I call it, is not a new one. It merely applies

to the new anti-Semitism the same criteria that for centuries identified the different dimensions of classical anti-Semitism.

The first D is the test of demonization.

Whether it came in the theological form of a collective accusation of decide or in the literary depiction of Shakespeare's Shylock, Jews were demonized for centuries as the embodiment of evil. Therefore, today we must be wary of whether the Jewish state is being demonized by having its actions blown out of all sensible proportion.

For example, the comparisons of Israelis to Nazis and of the Palestinian refugee camps to Auschwitz – comparisons heard practically every day within the "enlightened" quarters of Europe – can only be considered anti-Semitic. Those who draw such analogies either do not know anything about Nazi Germany or, more plausibly, are deliberately trying to paint modern-day Israel as the embodiment of evil.

The second D is the test of double standards. For thousands of years a clear sign of anti-Semitism was treating Jews differently than other peoples, from the discriminatory laws many nations enacted against them to the tendency to judge their behavior by a different yardstick.

Similarly, today we must ask whether criticism of Israel is being applied selectively. In other words, do similar policies by other governments engender the same criticism, or is there a double standard at work?

It is anti-Semitism, for instance, when Israel is singled out by the United Nations for human rights abuses while tried and true abusers like China, Iran, Cuba, and Syria are ignored.

Likewise, it is anti-Semitism when Israel's Magen David Adom, alone among the world's ambulance services, is denied admission to the International Red Cross.

The third D is the test of deligitimation. In the past, anti-Semites tried to deny the legitimacy of the Jewish religion, the Jewish people, or both. Today, they are trying to deny the legitimacy of the Jewish state, presenting it, among other things, as the last vestige of colonialism.

While criticism of an Israeli policy may not be anti-Semitic, the denial of Israel's right to exist is always anti-Semitic. If other peoples have a right to live securely in their homelands, then the Jewish people have a right to live securely in their homeland.

To remember the 3D test I suggest we recall those 3D movies we enjoyed as children. Without those special glasses the movie was flat and blurred. But when we put on our glasses the screen came alive, and we saw everything with perfect clarity.

In the same way, if we do not wear the right glasses, the line between legitimate criticism of Israel and anti-Semitism will be blurred and we will not be able to recognize this ancient evil, much less fight it.

But if we wear the special glasses provided by the 3D test – if we check whether Israel is being demonized or deligitimized, or whether a double standard is being applied to it – we will always be able to see anti-Semitism clearly.

And with moral clarity, I have no doubt that our efforts to combat this evil will prove far more effective. (Jerusalem Post Feb 24)

A Glorified Public Opinion Poll By Evelyn Gordon

Proposals for referenda have always aroused controversy in Israel, with opponents citing their ignominious history of use by dictatorships and proponents their successful use by democracies.

I have hitherto always sided with the proponents. But Prime Minister Ariel Sharon's proposed "nonbinding referendum" on a withdrawal from the territories – which this paper has regrettably endorsed – represents a dangerous throwback to the dictatorial model.

To start with, Sharon is asking Israelis to vote without knowing exactly what they are voting on. Yet, as everyone knows, the devil is in the details.

While most Israelis, for instance, would vote for "peace with the Palestinians" in general, they would reject a specific agreement granting Palestinian refugees a "right of return."

Sharon's withdrawal plan currently contains numerous unresolved details. Will the withdrawal be from all Gaza settlements, or only some, and if so, which ones?

Will West Bank settlements also be evacuated? If so, which? Will the army remain in Gaza after the evacuation? What kind of compensation/relocation package will the settlers receive? And perhaps even more important, what will Israel receive in return?

Sharon speaks of withdrawing from Gaza in exchange for strengthening Israel's hold on parts of the West Bank.

But which parts, and what does "strengthening Israel's hold" mean? Will these areas be annexed? Will the separation fence – which Israel has just agreed to move westward under pressure from the Americans, the International Court of Justice and Israel's Supreme Court – be moved eastward again? Will Gaza settlers be relocated to the West Bank?

Answers to all of these questions are necessary for a rational decision on the proposal's merits – yet voters will not have them.

Firstly, even if Sharon provides answers, the referendum will precede presentation of the plan to the cabinet and Knesset – meaning that these institutions might later alter the details radically.

Moreover, absent a signed agreement with the US – which the Bush administration will certainly not provide – no announcement of measures to "strengthen Israel's hold" on parts of the West Bank will be meaningful, since Sharon will do nothing without Washington's consent.

Even a declaration that Sharon has "understandings" with the Americans on this subject would mean nothing, as he has frequently announced

"understandings" that later proved to exist only in his imagination – as when he told the cabinet that the US backed Israel's reservations to its road map.

And even genuine understandings would be void should Bush fail to win reelection in November.

BUT THE fact that voters will not know what they are voting on is only the first problem. Equally grave is that this referendum is aimed not at bolstering normal democratic processes, but at circumventing them.

In most democracies, referenda are the final stage of the legislative process. Voters are asked to accept or reject a law, treaty or constitutional amendment that has already passed the legislature.

The recent referenda in east European countries on whether to join the European Union are good examples: Voters were asked to accept or reject a detailed accession treaty that had first been approved by the government.

Moreover, there is good reason for this widespread democratic insistence that referenda not be used to bypass the legislature: Legislators, unlike the public, have the time and resources to study a measure, discuss it and consult a variety of experts, thereby enabling them to detect problems that might not be apparent at first glance.

But even the rare exceptions to this rule include nothing comparable to Sharon's proposal. California, for instance, allows legislative initiatives to be put on the ballot without first going through the legislature, but these initiatives are voter-sponsored rather than government-sponsored – they must be signed by 5 percent of eligible voters to appear on the ballot – and they are specific, detailed pieces of legislation that immediately become law if passed.

Charles de Gaulle's first Algerian referendum – the closest parallel – merely sought public backing for opening negotiations with the Algerians, something that did not require parliamentary approval.

Sharon's goal, however, is to use a vaguely worded referendum as a tool to bludgeon the cabinet and Knesset into rubber-stamping a specific program. That is a classic dictatorial technique.

Finally, there is a serious problem with interpreting the results of a "nonbinding referendum." Binding referenda are governed by laws that clearly specify the majority needed for approval, so the meaning of the results is incontrovertible. But Sharon is essentially proposing a glorified public opinion poll that requires no enabling legislation.

Thus if the results are close – especially since most democracies require supermajorities to pass referenda – the country will be riven by arguments over whether he has actually received the necessary mandate for his plans.

If and when a detailed withdrawal plan is approved by the cabinet and Knesset, a subsequent binding referendum would greatly strengthen the legitimacy of this controversial move. But Sharon's planned referendum is no more than a demagogic trick designed to hoodwink the public into approving a plan whose details are unknown and then to bully the Knesset into rubber-stamping it.

Such a referendum has no place in a democratic country.
(Jerusalem Post Feb 24)

Life Among the Bombs By Michael B. Oren

The bombing of the No. 14 bus here on Sunday began like many others: first the boom, then the sirens and finally the phone calls. This time the calls were particularly harrowing because our children and many of their friends regularly ride that line. We soon heard that two of their classmates were killed by the blast and eight others wounded. After the surge of rage, helplessness and sorrow, the next stage quickly followed. We returned to our routines.

Israelis are proud of their ability to carry on in the face of terrorism. The determination with which buses keep running and cafes serve brunch only minutes after an attack has been widely lauded, even by Israel's critics. Over the past three years, since the Palestinian bombings began, Israelis have had hundreds of opportunities to perfect that skill. Whereas once the explosion of a bus or a restaurant would send the country into paroxysms of sadness and rage, with mournful music pouring out of the radio and politicians vowing revenge, today even the bloodiest atrocities recede from memory in a matter of days, if not hours. The government now issues some indeterminate warning. Our radios keep playing U2.

Israel's resilience seems to suggest that terror, like conventional military power, has its limits. If suicide bombers stop terrorizing their targets, then, by definition, suicide bombings no longer constitute terrorism. This is an important lesson for the United States and other nations grappling with Al Qaeda and its offshoots. By steeling itself to pain and horror, a society can deprive its enemies of their most potent weapon – fear – and help ensure its security and, ultimately, its survival.

Yet what if Israelis have not grown inured to terrorism but have rather become numbed by it? What if, instead of showing resolve, they have merely lapsed into a state of shock so deep that assaults on their national existence cannot stir them? The lesson, then, would be much different: subjected to prolonged and relentless terrorism, even the most robust society is in danger of crumbling.

Israel's goal must be to maintain a balance between steadfastness and indifference. True, we have not allowed terror to dominate our lives, to drive us either indoors or to abandon our homes – to determine who we are. We have been striking back to the degree that is politically and morally permissible, erecting barriers to hinder terrorists even as we work to eliminate the conditions that create them. At the same time, however, we must never lose sight of the suffering that terrorism causes, the reality of dismembered bodies, the anguish of families bereaved.

Israelis provide the world with a model for maintaining normal life even under the pall of terror. In spite of Sunday's bombing, we must go back to our jobs and our schools, demonstrating that terrorism will not defeat us. Still, not for a

moment can we forget the emotional costs of our endurance. For Israelis and Americans, this is the challenge of our time: reconciling fortitude with sensitivity. (New York Times Feb 24)

The writer, a senior fellow at Jerusalem's Shalem Center, is the author of "Six Days of War: June 1967 and the Making of the Modern Middle East."

Of Terroicide and Infernos - Or, How We Lost WWII

By David Willner, MA Ed

You would think the world would have learned.

Less than sixty years after the greatest mass murder in the history of the world (I choose not to use the word "civilization" - it is essentially a canard), the world has chosen to turn a blind eye to the ongoing annihilation of the Jewish people. Fortunately, the Arab Moslems have not set up factories in order to implement their agenda. Possibly because the Arab world remains one of the least modernized or industrialized societies on the planet.

But why bother setting up factories for extermination when every city bus can be turned into a mobile crematorium? In the back of my mind I hear Orson Wells rasp as he narrates the movie Genocide. "Sheep to the slaughter?..." That was in reference to Auschwitz, Bergen Belsen, Treblinka. But what else do you call standing in line, and paying for the privilege of a one-way ticket to Dante's Inferno, your body pierced with nails, and then crucified on the cross of world opinion?

The show trial at the Hague has now officially begun, to try and deprive the citizens of Israel of the most passive restraint imaginable - a wall to separate the murderers from their victims. Don't kid yourself. The world is colluding in this calumny. I won't bother reiterating the utter hypocrisy that these savants of social justice seek to espouse. Suffice it to say that they are building a world that will leave no corner fit for living.

Most of us don't realize it yet, but the terrorists have us pinned and on the ropes. We've accepted the ongoing humiliation of body and luggage searches at airports, we've accepted grievances that attempt to justify the violent dismemberment of men women and children, we've accepted the reality that there are mindless automatons willing to fly jets into skyscrapers filled with thousands of innocent people, and we've accepted the new reality that requires that life will never be the same. We've also accepted that there are a whole lot of folks just itching to get their fingers on Weapons of Mass Destruction. So the evening news can talk about chemical and biological weapons being sent in the mail and we go about our lives, 'cuz there ain't a whole lot that the common folks can do about it. Right?

Should they be called "suicide bombers" or "homicide bombers"? They are mass murderers willing to kill without compunction for the joy of killing and their supposed rewards. I call it terroicide. We endlessly debate "...did he or didn't he" have weapons of mass destruction. He did. Just ask the people of Halabja. Oh, sorry they're all dead. Did he hide them? Get rid of them? Who cares? Saddam was a bad man, is a bad man, and killed lots of innocent people. We should have released him. On the streets of Teheran. They'd know what to do with him, since we obviously don't know what to do with killers who commit crimes against humanity.

So welcome to world war three. Yep it's a world war. It's raging all around us. Iraq, Afghanistan, NY, Israel, France, Chechnya, Turkey, Argentina - the list goes on and on, and we go back to our bubbles and pretend it's not so bad. We should give the Palestinian Arabs a homeland after ethnically cleansing it of Jews. That oughta do it, eh? Only one problem - it's not what they say - it's what people in western countries say. Just remind me please - someone - what exactly does Osama bin Laden want? Or Sheikh Nasralla? Or Yasser Arafat? He was offered a homeland and turned it down so that he and his minions can kill more Jews. And Arabs. That's right. And Arabs. Christian Arabs. Liberal Arabs. Even Arabs that agree with what he's doing and support it. Go figure. He also kills Arabs that don't think what he's doing is right and aren't afraid to speak out. There aren't a lot of them but there are some. You see, this war - let's call it WWII, isn't about fighting for land, oil, or water, or natural resources or borders. It's about a whole lot of people who've embraced death as the noblest of human motivators, trying to outdo each other in orgiastic dance macabre.

This is no game for the faint of heart or the weak willed. We can play to win or we can choose to lose. Choosing stalemate means living with body searches, cell phone searches, shoe searches, luggage scans, etc. etc. It means thinking twice before boarding a plane or a bus, before entering a crowded market, before entering a national landmark. Because maybe it's been targeted in this war of the insane. We can get used to a dozen deaths here, a few score there. We have the power and the moral right to take it to these lunatics. The question is do we have the collective will. Right now I don't believe we do. We'll wait until the next atrocity, the next massacre of innocents, in Israel, the US, or somewhere else in the world. And in all likelihood, the talking heads will babble on the TV, Radio, and Internet. And then we'll wait for the next attack. And more innocents will die.

So there's really only one choice. At least for me. If we care about the world we live in. If we care about the kind of world our children and grandchildren are going to inherit, we're going to have to fight for life. Probably to the death. I'd rather it was theirs and not mine. I think there's still time. But not much.

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