THE CHANGING FORMS OF INCITEMENT TO TERROR AND VIOLENCE:

The Need for a New International Response

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This volume is based on a conference on "Incitement to Terror and Violence: New Challenges, New Responses" under the auspices of the Jerusalem Center for Public Affairs and the Konrad-Adenauer-Stiftung, held on November 8, 2011, at the David Citadel Hotel, Jerusalem.

Editor: **Ambassador Alan Baker**

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INTRODUCTION

Alan Baker

Perhaps the most neglected, yet the most central component of international terror is the element of incitement.

Incitement is the medium through which the ideology of terror actually materializes into the act of terror itself. Without circulation of the ideology and the recruitment of support as a result of incitement, there would be no act of terror.

But if indeed incitement is so obviously and clearly a central component of terrorism, the question remains: why does the international community in general, and international law in particular, not posit a crime of *incitement to terror* or entertain an appropriate international convention among the various existing counterterror conventions?

Is it sufficient to rely on a vague provision in other conventions prohibiting "supporting" or "encouraging" the particular act of terror that is criminalized by the convention, and viewing incitement as constituting part of such support or encouragement?

Is it a justifiable response to claim that criminalizing incitement in an international convention would be endangering or violating the First Amendment right to free speech and therefore *ultra vire*s?

Is there no clear dividing line between incitement to terror and the fundamental right to freedom of speech?

Is it logical and tenable that the person who incites others to commit acts of terror, whether such person is a preacher in a mosque, a radio or television personality, a trade-union activist, or a teacher in school or college, can go scot-free after having played such a major role in generating the act of terror and bringing about the murder of thousands of people?

With these questions in mind, an international conference was held in Jerusalem in November 2011 aimed at examining the extent to which incitement is indeed a major component of terrorism requiring criminalization as an international crime.

The conference dealt with the following areas:

» Global incitement through the web and other communication technologies

» Incitement in Western countries by Muslim and radical-left organizations

» Incitement in schools

» Incitement in the Middle Eastern context

» The contribution of incitement to the genocide in Rwanda

» Psychological aspects of incitement

The conference ended with the introduction of a Draft International Convention for the Prevention of Incitement to Terror, intended for presentation to the Secretary-General of the United Nations as a first stage in criminalizing incitement to terror in the international community.

This book is a compendium of the papers presented at the Jerusalem conference. Following is a brief summary of the presentations:

Michael Mertes, Resident Representative in Israel of the Konrad-Adenauer-Stiftung and former legislator and political adviser, in his presentation on "Beyond Radical Libertarianism: Internet Freedom and the Rule of Law" analyzes the dichotomy between free speech in modern society and the danger in abusing such free speech to harm others, and the consequent need to balance such freedom and to contain incitement to terror.

Dr. Boaz Ganor, counterterrorism expert and founder and executive director of the International Institute for Counter-Terrorism, in his presentation on "The Hybrid Terrorist Organization and Incitement" examines the dynamics inherent in the modus operandi of modern-day terror organizations, and the utilization of legitimate, social situations and the naiveté of Western, liberal societies as a means of furthering their aims.

Rabbi Abraham Cooper, associate dean of the Simon Wiesenthal Center, in "From Big Lies to the Lone Wolf: How Social Networking Incubates and Multiplies Online Hate and Terrorism" offers a detailed and thought-provoking exposé of the way in which hate and terrorism are disseminated over the Internet, with graphic examples.

Prof. Robert Wistrich, expert in modern European and Jewish history and director of the Vidal Sassoon International Center for the Study of Anti-Semitism, in "Anti-Zionism, the Left, and the Islamists in Britain" examines the contemporary and brazen incitement against Jews and Israel in British society, especially the more recent incarnation of hatred in Britain through academic and economic boycotts of Israel.

Prof. Elhanan Yakira of the Department of Philosophy at the Hebrew University of Jerusalem, in a presentation "On Anti-Zionism and Anti-Israelism" analyzes the sources of, and evident linkage between anti-Zionism and anti-Semitism, the European leniency toward Palestinian terror, and the curious phenomenon of participation by Jews and Israelis in anti-Israeli incitement.

Dr. Manfred Gerstenfeld, an expert on post-Holocaust and anti-Semitism issues and member of the Board of Fellows of the Jerusalem Center for Public Affairs, in "The Delegitimization of Israel in Schools in the Western World" maps the growing trend of incitement against Israel in Western schools through traditional anti-Jewish prejudices, as well as the growing Muslim presence and influence in Western countries.

Gen. Yosef Kuperwasser and **Dr. Asher Fredman** of Israel's Ministry of Strategic Affairs, in "The Incitement and Culture of Peace index: Methodology and Trends" present an ongoing index monitoring the various dimensions of incitement by Palestinian officials and bodies, constituting the basic and obstructive factor to any Israeli-Palestinian peace.

Itamar Marcus, founder and director of Palestinian Media Watch, in a presentation on "Deception: The Palestinian Authority's Public Commitments and Its Actual Activities and Messages" takes the trend of Palestinian incitement one step further and analyzes statements and actions of Palestinian leaders and the manner in which Palestinian incitement against Israel and Jews is packaged, whether on the Internet or through media sources, whether

through negation of Israel, religious hatred, or glorification of suicide bombers.

Dr. Joel Fishman, fellow of the Jerusalem Center for Public Affairs and editor of the *Jewish Political Studies Review*, in his chapter "Palestinian Incitement and Peace: An Insurmountable Incompatibility" points to the centrality of incitement as a stumbling-block to peace and a major cause of violence and genocide. He reviews the tendency of Western countries to downplay and even ignore the damages of incitement. He analyzes the strategic and tactical components of incitement as a means of extending conflicts and struggle, buttressing nondemocratic regimes, and as a fundamental flaw in Palestinian governance, thereby preventing progress toward peace.

Dr. Yohanan Manor, founder of IMPACT-SE which analyzes schoolbooks and curricula in the Middle East, in his chapter "Anti-Jewish Sentiments and Stereotypes in Arab and Muslim Schoolbooks" analyzes challenges in the Arab and Muslim countries including Egypt, Saudi Arabia, Iran, Jordan, and the Palestinian Authority, and the alarming extent of hatred, prejudice, and incitement against Jews, leading to calls for dehumanization and elimination.

Dr. Anat Berko, expert in terrorism and specifically suicide bombers and their handlers, in "The Smarter Bomb: Women and Children as Suicide Bombers" presents the results of her extensive research on the ideological, practical, and social motivations and incentives driving people to become suicide bombers, and the exploitation of youngsters and children by the planners of Palestinian terror attacks.

Prof. Gregory S. Gordon, formerly of the Office of the Prosecutor for the International Criminal Tribunal for Rwanda, in his chapter "Incitement in Rwanda: The Path to Genocide" traces the manner in which incitement through public pronouncements and the media directly brought about the tragic genocide in Rwanda. He analyzes the content of the messages disseminated through the media in light of the requirements of international conventions to contain incitement.

Prof. Elihu D. Richter, former head of the Unit of Occupational and Environmental Medicine at Hebrew University-Hadassah Braun School of Public Health and Community Medicine, and **Dr. Yael Stein** of the Hadassah Medical Center and the Braun School of Public Health and Community Medicine, in their chapter "Incitement, Hate Language, and Terror: An Epidemiologic Perspective" deal with the medical and psychological components of the disease of incitement, hate, and terror as transmitted through generations of Palestinians, constituting the most hazardous populationwide exposure in the Middle East and requiring drastic educational, legal, and administrative means to eradicate official hate language and incitement.

Dr. Yaël Ronen, senior lecturer in international law at Sha'arei Mishpat College in Hod Hasharon, in her chapter "Incitement to Terrorism in International Law" analyzes attempts in the international community to criminalize incitement, through UN Security Council Resolution 1624 of 2005 and subsequent implementation guidelines. She questions whether any criminalization of direct calls to incitement could be sufficient in light of the extensive indirect incitement, and asks where to determine the threshold for such criminalization especially in light of the danger that it could be utilized for abusing governmental powers.

Amb. Alan Baker, international lawyer and former legal adviser to Israel's Foreign Ministry, in this compendium's closing chapter "Palestinian Incitement as a Violation of International Legal Norms" maps the historical and legal background connecting incitement to violence

and terror, and analyzes the references to preventing incitement in international instruments and in Israeli-Palestinian agreements.

The Appendix to this book offers a Draft International Convention for the Prevention of Incitement to Terror, drafted by **Amb. Alan Baker**. This document attempts to combine the various international resolutions and regional treaties into one comprehensive convention criminalizing incitement in international law, with the aim of presenting this draft convention to the United Nations as a basis for adoption by the international community.

BEYOND RADICAL LIBERTARIANISM: INTERNET FREEDOM AND THE RULE OF LAW

Michael Mertes

The fight against terror requires intellectual and moral clarity. Terror is a crime, and legal systems make incitement to a crime a criminal offense in itself. Therefore, seemingly the criminalizing of incitement to terror by an international convention should receive broad support within the community of nations. This, however, might prove difficult. Very roughly speaking, the camp of opponents presumably falls into two categories.

The first category consists of states that sponsor terrorism, and of states where certain forms of hate speech—from Holocaust denial to incendiary propaganda—are seen as acceptable or even true statements.

The second consists of states where a libertarian public opinion is averse to regulations that appear as an infringement on free speech. In his introduction to the Draft International Convention for the Prevention of Incitement to Terror, Alan Baker puts it this way: "[C]onstitutional provisions for freedom of speech in national legislation have restricted serious discussion of prohibiting or criminalizing incitement to terror through some form of international instrument."[1]

As a former representative to the German Federal Council, the legislative body through which the German federal states participate in our national legislation, I can confirm that this is an accurate description of the objections the anti-incitement project will face in my country, as well as in many other European societies.

Of course I am not advocating defeatism. One has to know these objections, however, to be able to counter them. The example I am referring to is the so-called Budapest Convention on Cybercrime,[2] a treaty that was elaborated under the aegis of the Strasbourg-based Council of Europe and opened for signature in 2001. It was also signed by the non-European countries Canada, Japan, South Africa, and the United States, and it entered into force in 2004. Summarizing the "London Conference on Cyberspace" in November 2011, British foreign secretary William Hague came out in favor of further expanding support for the Budapest Convention beyond the sphere of Council of Europe member states.[3]

In 2003 the Budapest Convention was complemented by an "Additional Protocol...concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems."[4] It came into force in 2006. The Additional Protocol defines as "racist and xenophobic material...any written material, any image or any other representation of ideas or theories, which advocates, promotes or incites hatred, discrimination or violence,

against any individual or group of individuals, based on race, colour, descent or national or ethnic origin, as well as religion if used as a pretext for any of these factors." It bans the dissemination of racist and xenophobic material through computer systems, racist- and xenophobic-motivated threat and insult, as well as denial, gross minimization, approval, or justification of genocide or crimes against humanity.

THE LIMITS OF SPEECH

When the Budapest Convention and the Additional Protocol were to be ratified by the German Federal Parliament and the German Federal Council, both instruments were criticized on the ground that some of their regulations gave too much power to security authorities at the expense of citizens' freedom. The "Big Brother" argument should indeed be taken very seriously. In countries without a strong liberal and democratic tradition, there is a clear danger that Internet regulation is, and will be, used as a gateway to surveillance and censorship. Yet the rule of law does not stop at the entrance to cyberspace, as radical Internet libertarians would have it.[5] The opposite is true: "[T]hat behaviour that is unacceptable offline is also unacceptable online."[6]

One may justify that statement by quoting one of the fathers of modern libertarianism, John Stuart Mill. In his book *On Liberty*, published in 1859, he articulated what became known as the "harm principle." It says that "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others."[7]

There can be no doubt that incitement to terror harms others, for it is more than a mere expression of opinion. It is a willful action that aims to injure and kill human beings. Admittedly, it can be very difficult to draw a clear demarcation line between hate speech and incitement. That debate was conducted in Europe after the Norwegian right-wing extremist Anders Behring Breivik killed over seventy people in a bombing and shooting rampage in July 2011. Breivik described his militant ideology in a compendium of texts, titled "2083—A European Declaration of Independence," which he distributed electronically on the day of the attacks. His manifesto is, among other things, replete with anti-Muslim propaganda he had compiled from various Internet sources.

Apart from John Stuart Mill, another relevant liberal philosopher is Karl Popper. In his seminal work *The Open Society and Its Enemies*, written during World War II, Popper deals with what he calls "the paradox of tolerance." Popper is a most convincing crown witness; he had no illusions about the rise of Nazism and the threat of the Anschluss, and he emigrated from Austria to New Zealand in 1937. The passage is worth quoting in full length:

> Unlimited tolerance must lead to the disappearance of tolerance. If we extend unlimited tolerance even to those who are intolerant, if we are not prepared to defend a tolerant society against the onslaught of the intolerant, then the tolerant will be destroyed, and tolerance with them. – In this formulation, I do not imply, for instance, that we should always suppress the utterance of intolerant philosophies; as long as we can counter them by rational argument and keep them in check by public opinion, suppression would certainly be unwise. But we should claim the right to suppress them if necessary even by force; for it may easily turn out that they are not prepared to meet us on the level of rational argument, but begin by denouncing all argument; they may forbid their followers to listen to rational

argument, because it is deceptive, and teach them to answer arguments by the use of their fists or pistols. We should therefore claim, in the name of tolerance, the right not to tolerate the intolerant. We should claim that any movement preaching intolerance places itself outside the law, and we should consider incitement to intolerance and persecution as criminal, in the same way as we should consider incitement to murder, or to kidnapping, or to the revival of the slave trade, as criminal.[8]

Incitement to terror is the symptom of a severe intellectual and moral illness, which means that combating incitement is not enough. As far as the Middle East is concerned, Israel is by far its most successful country, and that seems to arouse strong feelings of envy among its less successful neighbors. Israel has achieved greatly in the economic, cultural, scientific, and many other spheres. It is a vibrant liberal democracy where no one, not even the president, is above the law, and where everyone enjoys the right to raise their voice against injustices and whatever they think has gone wrong.

In July 2011, the Washington-based Pew Research Center published the results of its international public opinion survey on Muslim-Western relations. Particularly striking was that 53 percent of Muslim publics blame American and Western policies for the lack of prosperity in their countries, while only 49 percent identify government corruption and only 42 percent lack of democracy as the main causes of domestic failure.[9]

As someone less pessimistic about the Arab Spring than Israeli public opinion seems to be, I am convinced that the Arab Spring can be the beginning of a success story if the Muslim publics abandon self-pity. Self-criticism instead of self-pity is the key to success. Democracy means that there is no excuse; you have a choice; you get the government you deserve. It is essential to stop blaming others: the Zionists, the Americans, the West, and so on.

Finally, it will apparently take a good deal more time until a convention against incitement to terror enters into force, especially in those countries where such provisions are badly needed. It is, however, well worth the effort to promote such a convention.

Michael Mertes is a German lawyer, state secretary (ret.), and journalist. He was a political adviser to Chancellor Helmut Kohl from 1987 to 1998. Thereafter he became foreign editor of the weekly *Rheinischer Merkur*. From 2006 to 2010 he served in the State Government of North Rhine-Westphalia as the state's representative to the German federal institutions in Berlin and to the European Union in Brussels. Since June 2011 he has been Resident Representative of the Konrad-Adenauer-Stiftung to Israel in Jerusalem.

ENDNOTES

1   http://jcpa.org/wp-content/uploads/2012/07/Prevent-Incitement-to-Terror.pdf.

2   http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=185&CL=ENG.

3   http://www.fco.gov.uk/en/news/latest-news/?view=Speech&id=685839582.

4   http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=189&CM=8&DF=05/11/2011&CL=ENG.

5   See John Perry Barlow's seminal "Declaration of the Independence of Cyberspace" (1996), http://w2.eff.org/Censorship/Internet_censorship_bills/barlow_0296.declaration.

6   Quoted from "London Conference on Cyberspace: Chair's statement," http://www.fco.gov.uk/en/news/latest-news/?view=PressS&id=685663282.

7   See http://www.seop.leeds.ac.uk/entries/freedom-speech/#HarPriFreSpe.

8   Karl R. Popper, *The Open Society and Its Enemies*, vol. 1 (The Spell of Plato) (London: Routledge, 1945), 265.

9   See http://www.pewglobal.org/files/2011/07/Pew-Global-Attitudes-Muslim-Western-Relations-FINAL-FOR-PRINT-July-21-2011.pdf, 2.

THE HYBRID TERRORIST ORGANIZATION AND INCITEMENT

Boaz Ganor

Incitement to terrorism is a crucial but neglected subject. During the peace process between Israel and the Palestinians, specifically Israel and Fatah,[1] and as part of the Oslo Accords and the process that produced them, Israel insisted, and the Palestinians assented, that incitement to terrorism be addressed. Consequently, during Benjamin Netanyahu's first term as prime minister (1996-1999), and stewarded by then-foreign minister Ariel Sharon, the Israelis and Palestinians together established a trilateral committee to monitor incitement.[2] Despite its investment of time and effort—in an attempt to understand the varying perspectives on the Israeli-Palestinian conflict, committee members traveled between Ramallah, Jerusalem, and Washington—the committee's work ultimately came to naught. In part, this was because it soon became apparent that the Palestinians did not in good faith intend to do anything to stem incitement to terrorism. But, more fundamentally, it was because of the committee members' failure to define what it was they were meant to discuss. That is, despite three years of deliberation and discussion, the committee could not even agree on a definition of "incitement to terrorism."

Indeed, it is not easy to define. As any expert in counterterrorism will attest, no clear definition of "incitement to terrorism" exists. For that matter, neither is there one consensual, internationally recognized definition of terrorism. In a book they wrote in the 1970s on political violence, Dutch terrorism experts Alex P. Schmid and Albert Jongman cited 109 definitions of terrorism.[3] For the purposes of this article, terrorism will be defined simply as the deliberate use of violence against civilians for political ends.[4] In this, terrorism differs from criminal activity.[5] The terrorist has political goals, whether nationalistic, separatist, socioeconomic, religious—such as, for example, establishing an Islamic caliphate—or ideological—such as promoting communism, fascism, or anarchism. Terrorism is also differentiated from criminal violence by its deliberate nature—that is, its deliberate use of violence against civilians.

At the same time, terrorism is a very dynamic phenomenon. Terrorists are constantly traversing a learning curve. What makes terrorism such a fascinating topic of research is that the cumulative knowledge about it at any given moment may not describe the challenges it will pose tomorrow. Today's terrorists study international counterterrorism efforts and adapt to them; they change their modus operandi, their immediate goals—not their ultimate goals, for the root causes of terrorism do not change, but their instrumental goals—as well as the structure and deployment of their organizations.

A NEW KIND OF WARFARE

Terrorism is, thus, warfare, but of a different sort than conventional warfare. It is not symmetrical warfare conducted between two entities, such as two states, or armies, that are more or less matched. Parties to symmetrical warfare win or lose on the military battlefield itself, depending on how much firepower they have and whether they can paralyze the other side's firepower. That is how "classic" wars have been fought since antiquity.

In contrast, the evolving, mutable phenomenon of terrorism is a new breed of warfare, an asymmetrical warfare born in the mid-twentieth century. This asymmetrical warfare is conducted between a state and a nonstate actor or actors, between an army and a militia, or an army and an organization. This type of war is fought on both the military and the media battlefield. Each side's ability to win or lose this type of war depends not on paralyzing the firepower of its opponent, but rather on fighting as successfully in the media as it does on the battlefield. In this type of war, one side may win on the military battlefield but lose on the media one. To be the winner of this type of war, you must be able to instill fear, anxiety, and hesitation in your opponent, thereby decreasing his motivation to fight you even as you yourself maintain the will to keep fighting.

This need to win a psychological war, and a war of public opinion, in and through the media has in recent years given rise to a new development in modern warfare: the hybrid terrorist organization, a new type of nonstate actor. Because modern, asymmetrical warfare, as described above, is a war for legitimacy—the legitimacy needed to reach the terrorist organization's goals—the hybrid terrorist organization has been created to try and garner legitimacy for terrorism, even as it raises questions about the legitimacy of the conventional state's commitment to fighting it. This is in part how Israel, for example, has come to be fighting a persistent campaign of delegitimization.

Yet what makes the situation of modern, asymmetrical warfare truly complicated is that it is fought on three battlefields: the military one, the media one, and the battlefield of international courts and the court of public opinion—the arbiters of legitimacy. In other words, today a state engaged in asymmetrical warfare must fight simultaneously in three arenas. It may find itself in a paradoxical situation where it is winning the war in one arena but losing it in another. For example, it may win on the military battlefield but lose in the media. Or it may win in the media but lose in international courts. This is a true challenge, one that may be deemed "multidimensional warfare." The entity that is in part responsible for this state of affairs is the hybrid terrorist organization.

A hybrid terrorist organization is one that stands on two or, in many cases, three legs. The first leg is that of the classic terrorist organization: a military or paramilitary organization that engages in terrorism, committing those atrocities we refer to as terrorist acts. The heyday of the classic terrorist organization was the 1960s, 1970s, and 1980s. But to operate and "win" in both the illegitimate arena of terrorism and the legitimate one of the media, the hybrid terrorist organization extends a second leg, that of a political organization. A hybrid terrorist organization's political branch may merely represent its ideology, or it may compete in legitimate, free, and democratic campaigns and elections. Further, to be able to engage in warfare against a state—an entity whose legitimacy is presumably well established—the hybrid terrorist organization has extended a leg into the realm of legitimate, usually state-sponsored services, through branch organizations that provide welfare services to a potential or actual constituency.

Thus, without relinquishing terrorism, the hybrid terrorist organization becomes active first and foremost in the so-called legitimate arena of social welfare, offering the people it targets as its potential supporters social services, consistently, over time (sometimes for years or even decades), and free of charge—or at least much more cheaply than the state or any other legitimate entity can provide them. Among Islamic jihadist organizations, this activity is known as *da'wa* (literally proselytizing) and subsumes a combination of religious services, educational services, ideological indoctrination, and welfare services. Through *da'wa*, the hybrid terrorist organization "buys" the hearts and minds of its constituency. Then, when the time comes, the organization reaps what it has sown in the form of support for its involvement in politics.

In this way the hybrid terrorist organization slowly constructs a political party, which appears to be an outgrowth of its welfare efforts but is actually a front for its terrorist activities. Sometimes this political party is "real" and official; in other cases it is mere camouflage. But whether "real" or not, such political parties can and do participate in legitimate, free political elections where they earn the votes of the people to whom they have been providing *da'wa* services for years. No one points a gun at these voters; rather, the engineers of the hybrid terrorist organization have "legitimately" bought their hearts and minds, brainwashing them, in a sense, to "legitimately" vote for them even though they are fundamentalist terrorists.

GAINING STATE POWER

Once these terrorists have won considerable power through legitimate political processes, they begin incrementally taking over the political establishment. And once they have taken over the political establishment, they can subordinate the resources of the (municipality, province, or) state for their own ends: that is, to conduct more *da'wa* activities, including further indoctrination. The hybrid terrorist organization thus runs *in perpetuum mobile*, growing more and more powerful over time.

This so-called legitimate process cannot succeed without the support of genuinely legitimate state entities—sometimes the very state(s) the process is meant to undermine. Three types of state support this process: patron states, sponsor states, and states that unwittingly abet the process.

The patron state is the one within whose territory the terrorist organization is active. Hizbullah is a concrete example of this: its patron state is (not Iran, but) Lebanon. A patron state either turns a blind eye to the activity of the hybrid terrorist organization or even lets it officially participate in the legitimate political arena even though, by so doing, it is promoting this vicious cycle. Later, after the hybrid terrorist organization has gained significant political power, the patron state comes to the international community and asks, "What do you want? They are too strong. They have immense military capability. They have unbridled support from their large constituency. We cannot deal with them." In this way the patron state is responsible for the legitimate takeover of power by a hybrid terrorist organization (as is illustrated by the case of Hizbullah in Lebanon).

The sponsor state is involved in the process as a source of funding and support. Hybrid terrorist organizations often need such support from states, as the West tacitly recognizes by its efforts to trace such organizations' fundraising mechanisms. These efforts are decidedly very important, and sometimes even very successful. However, it is not the terrorist activities themselves that need funding; conducting a terrorist attack is very cheap. Finding and

stemming the flow of funds to a hybrid terrorist organization does not necessarily stop the terrorist activity itself.

An example is the so-called "printers plot," in which Anwar al-Awlaki, then emir of Al-Qaeda in Yemen,[6] contrived to blow up several airplanes in midair using printers stuffed with explosives and loaded into the planes' cargo holds. Thankfully, this plot was thwarted. In its aftermath Awlaki gave an interview in which he stated, "A $4,200 operation will cost our enemy billions of dollars. In terms of time and effort, three months of work for a team of less than six brothers would end up costing the West hundreds of thousands, if not millions, of hours of work in an attempt to protect itself from our packages of death."[7]

A terrorist organization needs a lot of money, then, not to conduct terrorist acts but to literally buy the hearts and minds of the masses—that is, to conduct the *da'wa* activities that win it supporters. As any state knows, providing social welfare and education services is expensive. Usually it is these and other *da'wa* activities that are supported by sponsor states. Here again, Hizbullah provides a concrete example: its sponsor state is (not Lebanon, but) Iran.

The third type of state involved in the amassing of power by a hybrid terrorist organization is the state that supports the process unintentionally. and unwillingly. Sometimes such states—usually Western—do not realize that they are involved in the process. A striking example is the United States, which unwittingly legitimizes the takeover of power by hybrid terrorist organizations through its obsession with two related ideas: (1) democracy is a miracle solution to any nation's problems,[8] and (2) free elections, which represent democracy, are sacrosanct.

It seems the United States sometimes forgets that democracy is more than the sum of the elections that fuel it, something bigger and more complex. Democracy is first and foremost a set of values, among them civil society, human rights, gender equality, and minority rights. Free elections are merely the means to achieving democracy. But when free elections are offered to, or even imposed on, populations that have been plied with *da'wa* and brainwashed for decades, they will vote for what they believe is "the real thing." In the case of the Gaza Strip, this meant they voted for Hamas and not for Mahmoud Abbas (Abu Mazen). Although it is always risky to make predictions about the volatile Middle East, it is nevertheless reasonable to wager that were elections to be held in the Palestinian Authority tomorrow, Hamas would win them—despite international efforts, economic reform, and Palestinian prime minister Salam Fayyad's concerted efforts at state-building.

The relative naiveté of the United States, and the degree to which the hybrid terrorist organization Hamas has gained political traction through its *da'wa* work, is illustrated by an anecdote involving former secretary of state Condoleezza Rice. It occurred around the time free elections were about to be held for the first time ever in Gaza—free elections that the United States had heavily endorsed.

Rice explained that the U.S. intelligence community, without exception, was convinced Hamas was going to lose the election. As Rice noted in a lecture at the Hoover Institute at Stanford University, she went to sleep that night confident Hamas would lose. The next morning she learned from the news that Hamas won.[9]

Yet Condoleezza Rice remained unruffled: her unshakable faith in democracy led her to believe that the Palestinians would ultimately come to realize their mistake and get rid of Hamas; if not immediately then in the subsequent election, or in the one after that. Unfortunately, there is no precedent for such a turn of events. When fundamentalists win

free elections, "one man, one vote" happens one time. The only way to oust a hybrid terrorist organization from a position of political power is through counterrevolution—that is, violence. No hybrid terrorist organization has yet to relinquish power voluntarily.

Thus, however unintentionally, Western states sustain the political legitimization of terrorist organizations. At the same time, the parallel process of terrorism—that first leg of the hybrid terrorist organization—persists. A terrorist organization, hybrid or otherwise, conducts terrorist attacks—attacks that aim not only to kill innocent civilians but also to provoke the enemy state to retaliate. But since the hybrid terrorist organization has meanwhile become entrenched among the civilian population it targets, it in effect also forces the state, when it retaliates, to harm those same civilians. The hybrid terrorist organization does this by planting its military bases of operation, its rocket launchers, and its fighting men in schools, mosques, hospitals, and other public buildings, effectively turning its supporters into human shields. The state that wishes to rout the hybrid organization's terrorist installations has no choice but to risk hitting (protected) civilian targets.

This of course arouses international condemnation and sows hatred among the state's citizens, who only see the end result: the death of their fellow citizens and the threat to themselves. Civilians do not necessarily consider whether killing is "collateral damage," whether it was intentional or not, or whether it is part of retaliation against a greater evil; they merely see "the facts on the ground." Civilians tend not to worry about who started the violence and is ultimately responsible for it, or to question why the organization they support plants its military installations in its midst; they merely become angry and afraid. This leads to more incitement to terrorism and more hatred, creating a cycle in which terrorism supports the political process—and vice versa.

LEGITIMIZING TERROR

Thus, any discussion of incitement to terrorism is really a discussion about the battle for legitimacy. Terrorists, and those who incite to terrorism, aim to delegitimize their enemy and, at the same time, to bolster their own legitimacy. More pointedly, they strive to climb to legitimacy on the back of the enemy they have delegitimized. So perhaps the most dangerous role played by the unwitting supporters of hybrid terrorist organizations is this: they fan the flames of delegitimizing the (enemy) state. The hybrid terrorist organization wages a multidimensional campaign—diplomatic, humanitarian, legal, and propaganda—to delegitimize its opponent(s). It enlists in this campaign a strange mix of entities: well-intentioned but naïve human rights organizations, sponsor states, charities (often its own front organizations), supporters of terrorism, and the well-meaning international community.

But not all human rights activists are naïve. Human rights activist and Canadian statesman Irwin Cotler explained to me in a conversation in the mid-1980s that he is a human rights activist *and* a counterterrorism activist. He does not see a contradiction between the two; as a counterterrorism activist he was trying to see to it that people have regard for their right to live, and there is no more ultimate goal than the right to live. So anyone who is a counterterrorist is first and foremost a human rights activist.

In considering how human rights and counterterrorism can work together, it may be worth distinguishing between deliberate and unwitting supporters of terrorism. In the first category are those who intentionally, knowingly support terrorists, and know that they do.

For example, the supporters of Hamas in the United States and Europe—Palestinians and others—are not being misled by Hamas's propaganda; they know what the organization is, and nevertheless either serve as a front for it or otherwise support it in the international arena. As for unwitting supporters, they include those who may be deemed, rather bluntly, "useful idiots," supporting an organization like Hamas genuinely, not because they support terrorism but because they believe the organization has indeed earned legitimacy through a legitimate democratic process, as described above, and because they believe it is the underdog, the "weak" side in the asymmetrical struggle between the state and the nonstate locked in multidimensional warfare.

Unfortunately, Israel is a test case, locked as it is in just such multidimensional warfare against several nonstate actors. In its struggle to combat the campaign of delegitimization, of Israel-bashing, and of incitement against it, Israel should not focus on genuine supporters of terrorism. The battle against them is a lost cause, as they are unlikely to ever change their mind. Israel would do better to focus on the "useful idiots," the decent people who can still be influenced by factual information, by exposure to messages of incitement to terrorism, by information about the complex, tripartite structure of the hybrid terrorist organization.

In summary, Israel today faces complex, multidimensional warfare in which terrorists and their supporters have identified the weaknesses of democracy and learned to misuse democratic terms, slogans, and apparatuses to gain power and legitimacy. The hybrid terrorist organization, born of the changing dynamics of terrorism, strives to gain this legitimacy even as it struggles to deprive its enemies of the same legitimacy by whatever means it can—through incitement, indoctrination, propaganda—and thereby flip the asymmetrical balance of power on its head, and gain the upper hand.

In the case of Israel, as in other cases, international decision-makers will have to find ways to set aright what these hybrid terrorist organizations are trying to turn upside down. To do so they will first and foremost have to seek international agreement about what constitutes incitement to terrorism, and terrorism itself. Once consensus has been reached on the meaning of these terms and what they represent, it will be easier to find the building blocks, and the guidelines, with which to construct an effective campaign against incitement to terrorism and delegitimization.

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ENDNOTES

1   As of this writing, Israel does not openly negotiate with Hamas, which holds political power in the Gaza Strip.

2   The author was a member of this trilateral committee.

3   Alex P. Schmid and A. J. Jongman, *Political Terrorism: A Guide to Authors, Concepts, Databases, Theories, and Literature* (New Brunswick, NJ: Transaction, 2005).

4   For a discussion of the definition of terrorism, see Boaz Ganor, "Is One Man's Terrorist Another Man's Freedom Fighter?," International Institute for Counter-Terrorism (ICT), http://www.ict.org.il/ResearchPublications/tabid/64/Default.aspx.

5   Whereas terrorists commit attacks for political purposes, criminals are looking for economic profit.

6   Al-Awlaki was killed by a U.S. drone strike in Yemen on September 30, 2011.

7   Anwar Al-Awlaki, quoted in Shiraz Maher, "Al Qaeda's *Inspire* Magazine and the Ink Cartridge Bomb Plot," ICSR Insight, International Centre for the Study of Radicalisation and Political Violence, 2010.

8   See, e.g., Condoleezza Rice, *No Higher Honor: A Memoir of My Years in Washington* (New York: Crown, 2011).

9   Condoleezza Rice, lecture at the Hoover Institute, Stanford University, 2009.

FROM BIG LIES TO THE LONE WOLF: HOW SOCIAL NETWORKING INCUBATES AND MULTIPLIES ONLINE HATE AND TERRORISM*

Rabbi Abraham Cooper

Extremists leverage the Internet to drive their anti-Israeli and anti-Semitic agenda. The Simon Wiesenthal Center's Digital Terrorism and Hate Project is now in its fourteenth year. Back in 1995 there was one hate site, www.stormfront.org (still active today with an international following and hundreds of thousands of postings). At present our organization is monitoring far more than fourteen thousand problematic hate and terror-related sites. As troubling as these numbers are, the exponential growth of viral social networking makes the numbering game increasingly irrelevant, as a single posting, image, song, or YouTube video can reach untold thousands and beyond.

Our research reveals that social networking sites serve as incubators, validators, and motivators of pre-genocidal hate against Israel and the Jewish people. Collectively, online bigotry, anti-Semitism, and terrorism present ever-evolving threats to Israel and the Jewish people.

Measures must be taken to thwart this multifaceted threat. First and foremost, it is essential that the providers of these services, including Facebook, Google, YouTube, and Twitter, are also part of the equation. They must be held accountable; they must be part of the solution—not only serving as platforms for the haters.

Second, the end-users alone—in most cases teenagers—cannot be left responsible for the content they interact with. Young people are generally ill-equipped to defend themselves when they are targets of racist bullying or hate attacks. In addition, young people are themselves the targets of hate games, hate music, and online relationships encouraging membership in extremist groups or lone-wolf terrorist scenarios.

Third, there is a need for a consortium approach to these challenges, which should include governments, law enforcement, intelligence agencies, NGOs, and the Internet community at large. Achieving this goal entails constantly engaging the online companies to do their share. It is vitally important, therefore, especially for those living in the United States or seeking to affect U.S.-based companies, to frame their challenges to the U.S. online community in a context they are more likely to respond to. In the United States the first "commandment" is the First Amendment, which among other things guarantees freedom of speech. In dealing with companies like Facebook, Google, or YouTube, it is not helpful to challenge the free-speech principle but, rather, to address the companies' own rules. A contractual agreement

is created every time an online user presses the gray "I agree" button. These companies' online contracts give them the power to remove postings and even service. That approach has yielded positive results and has led to the deletion of many thousands of websites, forums, and Facebook pages.

Fourth, the Jewish world, including the state of Israel and Jewish NGOs, must be more creative and bold in harnessing online technologies to reach out to young Arabs who are fueling the so-called Arab Spring. For now, the deeply embedded anti-Israeli and anti-Jewish stereotypes are largely reinforced, not challenged online.

This harsh reality emerged when the Simon Wiesenthal Center launched a modest website called *Ask Musa*, offering basic instruction in Judaism for Muslims in five languages. Unfortunately, attempts to get coverage in the Arab or Muslim media proved futile. I was granted one lengthy interview with a brilliant young reporter from Al Arabiya in Washington, DC. We went through the whole site with her cameraman and she conducted a very thorough and respectful interview. Her last question was: "Rabbi, this is all very impressive, and please don't be insulted, but the question I'm going to ask you is the question that would be on the list of everyone watching this report when it goes on TV: why are you doing this? What's the real reason behind AskMusa.org? Is it a conspiracy?" I replied: "Yes, it's a conspiracy. It's a conspiracy of truth, because we can't figure out anything else to try with."

That interview never reached the air. There are hundreds of channels out there, and one can always say—if you don't like what you see, just change the channel. On Facebook and so on, no one can force the other side to look. It will take, then, a "Jewish village" to begin to use some of its dynamics and brains to try and communicate to the Arab and Muslim masses. What they are being fed on a daily basis should be of deep concern to everyone.

Many examples of digital hate (see below) today come from Facebook, which is increasingly the weapon of choice of extremists seeking to influence the marketplace of ideas. It is true that Facebook has done more than any other Internet company to combat digital hate. Indeed, it has put a global team in place to monitor and remove hate and terror pages and responds quickly to inquiries. We do not always agree with their decisions—especially their insistence that denigration of religions and denial of the Shoah constitute protected speech. There is also the case of the Saudi prince who offered a large sum of money for kidnapping an Israeli soldier. After we protested to Facebook, they removed the offending content; yet the prince retains his Facebook page and his links.

An imperfect Facebook, then, rates a B+ for cooperation in this arena. YouTube rates a D- and Twitter an N/A. Twitter has yet to even acknowledge that its service is regularly leveraged by terrorists. NGO representatives, human rights activists, Jewish defense agencies, and others engage the social-network providers with accurate information and exert pressure on them. It is a thankless but indispensable task.

DISSEMINATING HATE

How, then, do anti-Semites and haters of Israel go about deploying Facebook, YouTube, and so on? In 2011, in an attempt to ride the coattails of social networking activity connected to the Arab Spring, a call was issued to launch a spring intifada on May 15.

Pictured here is not only the Temple Mount in Jerusalem but also the Machpelah Cave in Hebron, along with an Arab horse and rider.

This is the social networking component of a global campaign to remove Israeli embassies. In the Facebook page below, protestors extricate the Israeli flag from Israel's embassy in Cairo.

These images are the creations of the artist Carlos Latuff—a vicious anti-Semite and hater of Israel who is also a brilliant cartoonist. His attacks predate the Internet era, having begun during the First Lebanon War when he gained some notoriety. Later he gained more international attention when one of his cartoons received second prize in Tehran's International Holocaust Cartoon Conference. At present the Internet has made him an international player; just ten years ago he was a very talented anti-Semite poisoning a limited audience in Brazil.

The adjacent page was used to promote the Global March to Jerusalem for March 2012. Thanks to airbrushes of the skyline of the Old City, there is no hint of anything Jewish here. This particular site, though, eschewed violence and instead invoked Gandhi's nonviolent movement, and his concept of thousands of people who march together to change reality on the ground. Backing this nonviolent movement, however, was none other than Hizbullah's mouthpiece Al-Manar, which also embraced the global march to Jerusalem.

NWO (New World Order), a very high-quality, anonymous (conspiracy-laden) website (now offline), purports to reveal the ongoing plot to create a "Greater Land of Israel." Tracing this notion on its online journey, we see that it is put in play by a blogger and then repeated—same visual, same story—by the Northerntruthseeker. A Google check revealed seventy-five thousand results emanating from just one posting. This reflects the power of social networking and the viral nature of today's Internet.
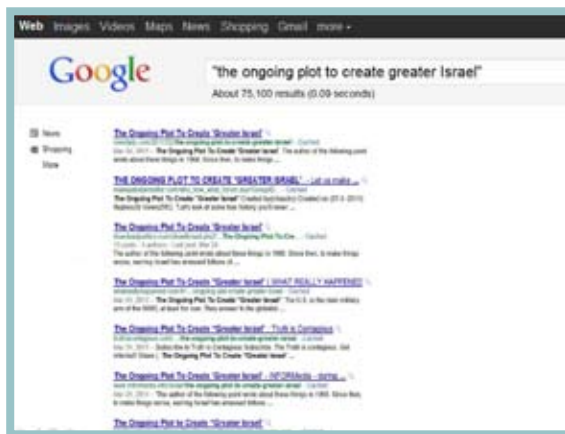
Below, YouTube presents the "Protocols of Zion." On the lower right-hand side, subscribers can be seen—some Iranians, some Nazis—who are classic Jew-haters.

Among the players of the international Jewish conspiracy identified on this Facebook page are the World Jewish Congress and their "lackeys," the Rotaries.

Beyond the *Protocols*, contemporary conspiracies thrive online. The 9/11 attack is attributed to Israel or the CIA. A YouTube video, posted from the United States, says the battle against Gaddafi was coordinated from Tel Aviv; a blogger invokes a source called Real Zionist News.

Next is a site from Pakistan. We would be wise to start paying attention to what is happening online in that country. Facebook is apparently the most popular method of communication there, and probably harbors a treasure trove of information about what Pakistanis are being taught about the Jewish nation. At this particular site we learn that American Zionists are plotting to attack Pakistan, and that "Hindu Zionists" were the ones who carried out the murderous Mumbai terror attacks.

The following are additional samples from Facebook groups. Anti-Israeli and anti-Jewish themes are well evident; it is not a pretty picture. By now, all this material has been removed from Facebook.

Postings in Turkish, Malaysian, Farsi—a hateful idea, born online, going viral in multiple languages. And let us not forget that the social networking venues serve as portals for direct recruitment, fundraising, and training.

I mentioned the low grade for YouTube, and that is primarily because they are not responsive to our protests over the multitude of how-to videos for the do-it-yourself criminal or terrorist. There are YouTube videos that teach how to convert any cell phone into a trigger for an explosive.

Swords of Jihad, in its fourth edition, is wildly popular. It contributes to an online culture that is potentially quite devastating.

BOYCOTT/DIVESTMENT/SANCTIONS (BDS)

This online thread of the boycott-Israel campaign leads from the use of Twitter by Adalah (the Legal Center for Arab Minority Rights in Israel) to Sheikh Yusuf al-Qaradawi. One of the most influential Sunni clerics, he is hailed as a moderate for advocating women's participation in local elections, even as he issued early fatwas validating Palestinian suicide bombers, including married women.

The U.S. components of the BDS campaign include Facebook, YouTube, and even America's foremost racist, David Duke. Duke has used the Internet to reboot his image. In the 1980s and 1990s, he built his core constituency by promoting hate against Jews, blacks, and Arabs. But in recent years, his hatred for America and Jews has earned him great popularity in the Arab world, where he is often invited to lecture.

Last year Duke interviewed an African American woman in Los Angeles who had been participating in Occupy Los Angeles and who loudly told the media that "Zionist bankers" had to be removed from the United States. So Duke, the archenemy of blacks, made his peace with one African American to help virally spread hatred against his number-one enemy—the Jews.[1]

Other elements of the campaign, invoked by Palestinian and other enemies of Israel who seek to erase four thousand years of Jewish history, include possible, eventual economic implications for kosher products, and a growing theme of online attacks—denying the Jewish people's claim to the Land of Israel. In the real world, one of UNESCO's committees has already rebranded Rachel's Tomb in Bethlehem as a mosque.

The Jewish people, in other words, now also have to defend their very identity as Jews. This blog from Indonesia promotes Shlomo Sand, the Israeli academic who claims that there is no Jewish people and, hence, no Jewish claim to Palestine.

ANTI-SEMITISM, SHOAH DENIAL, ISRAEL AS NAZIS, INTIMIDATION

The following are examples of the repackaging of hate in digital clothing. This vicious song by "Asadullah Alshishani" was posted following the incident involving the Turkish ship *Mavi Marmara* offshore of Gaza. It closely mimics the murderous Nazi "Horst-Wessel-Lied" song. (It was posted by a person in Pittsburgh, later arrested in January 2011 for assaulting two FBI agents.)

Here, on Flickr, we find denial of the Shoah along with insults of Elie Wiesel and all Holocaust survivors.

An essay posted on Scribd, on the Treblinka "hoax," somehow finds it way onto a blog called *Muslim in Suffer*, which eventually leads to a nonexistent reward for proving that anyone actually died at the Treblinka death camp.
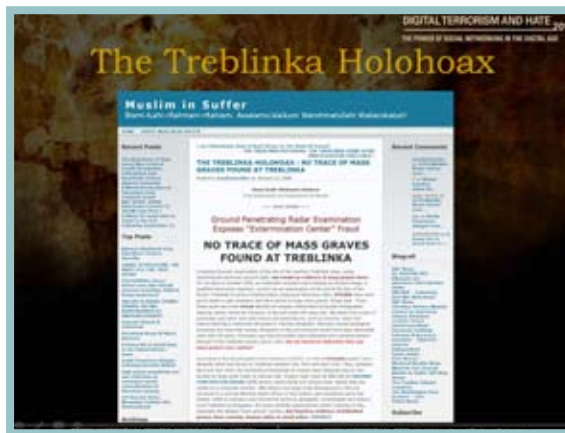
Here is the latest attack by the Iranians on the Holocaust, with some of their worst Shoah-related cartoons. Note that while they deny the Holocaust, every page contains the Star of David with a swastika embedded in it. Thus, for Israel's enemies, the Shoah did not happen; but Israelis are the real Nazis.

There are numerous quasi-terrorist threats against Jews in various countries, including a list of Italian Jews. This U.S. site, *Jew Watch*, posts the list right next to the *Protocols*.

In January 2011, there was an attack on several synagogues and a Jewish school in Montreal. Interestingly, there was no public discussion at all about whether the perpetrators, who were never caught, may have been Arab or Muslim. We found, however, a tremendous amount of chatter about this hate crime on Arab and Muslim sites. This included claims that Arabs and Muslims were innocent of the crime—even though no one ever accused them of it.

There is, finally, the issue of the "lone wolf." Since 9/11, there has been concern especially in the United States that the Islamist modus operandi of violence and terrorism might inspire homegrown neo-Nazis and extremists. Although that has not happened, the notion of the lone wolf or "leaderless resistance" was incubated online for most of the last decade by domestic U.S. extremists, including specific instructions for attacks. The shooter at a Jewish day camp in southern California in 1999 claimed he was inspired by the book *Vigilantes of Christendom: A History of the Phineas Priesthood*. That book justifies lone-wolf attacks by invoking the role model of Pinchas, who slew another Israelite and a Midianite woman on the grounds that he was doing G-d's work (Numbers 25). This is what motivated the white-supremacist shooter, Buford Furrow, whose original target had been the headquarters of the Simon Wiesenthal Center in Los Angeles.

About two years ago we began to see a sort of mutation—the co-opting by Islamists of the lone-wolf concept that was promoted by domestic U.S. extremists. Here a fatwa from the thirteenth century is posted online in the twenty-first century, to give religious sanction for a lone individual to attack enemy ranks and with full knowledge that he will be killed. This is, in other words, a religious validation for a lone suicide bomber. In 2010 terms we see justification in a more contemporary context in this "Confessions of a human bomb from Palestine."

The *As-Ansar* forum proudly posts pictures of individuals who recently launched attacks in the United States. By now the term used is "lone wolf," which is also used to describe Umar Farouk Abdulmutallab, the so-called underwear bomber who almost succeeded in blowing up a jet above Detroit with explosive-saturated underwear. And another Arabic posting with "Lone Wolf" as the title honors the mass-murderer Major Nidal Malik Hasan and the failed shoe-bomber, Richard Reid.

And finally, an image from *Inspire*, Al-Qaeda in the Arabian Peninsula's online magazine. It does not target the Arab street in Yemen but, rather, young people in English-speaking countries who are urged to take revenge for America's alleged brutality.

The Simon Wiesenthal Center has created the Digital Terrorism and Hate app to highlight its annual findings. The app can be accessed using an iPad, iPhone, iPod touch, Mac computer or any Android mobile device and following the instructions on the image below.

Rabbi Abraham Cooper is associate dean of the Simon Wiesenthal Center, a leading Jewish human rights NGO. Widely recognized as a pioneer and international authority on issues related to digital hate and terrorism, Rabbi Cooper has been a longtime activist for Jewish and human rights causes on five continents.

ENDNOTES

*The source of the visuals in this article is the Simon Wiesenthal Center Digital Terrorism and Hate Project.

1   http://www.davidduke.com/?p=24719.

ANTI-ZIONISM, THE LEFT, AND THE ISLAMISTS IN BRITAIN

Robert Wistrich

My topic concerns primarily the United Kingdom, and two important, even major facets of the contemporary incitement against Israel and the Jewish people, which are increasingly visible in British society. I will focus primarily on the left wing of the political spectrum, and to some extent on Muslims in British society, and the way these groups interact in the area of anti-Israeli incitement. Of course there are many other forces at work in promoting anti-Semitism in the UK. But for the sake of brevity, I will only discuss these two currents.

AN UNWRITTEN ALLIANCE

Since the year 2000 there has been an increasing convergence between those who belong to the radical left and those who promote Islamism in British society. One of the key areas in cementing their rapprochement has been the question of Israel and Palestine. There are also other factors such as anti-Western sentiment, antiglobalization, and anti-Americanism that provide common ground for Marxists and Islamists alike.

The unwritten alliance between these forces, which clearly have many things that divide them as well as points in common, is undoubtedly related to events in the Middle East since 2000-2001. The Iraq War, the Second Intifada and Operation Defensive Shield, the Second Lebanon War, and the Gaza Flotilla have been obvious triggers. They were not necessarily deep causes, but certainly catalysts of anti-Israelism and anti-Semitism. In this context, the demonization of Jews and of Zionism has increasingly appeared as a motif actively promoted by Islamists and far-left groups. But in the case of hostility toward Israel in British society there is a much larger hinterland of support embracing many liberals and the moderate left. This is one of the most disturbing features of more recent developments. Many liberal democrats, a number of conservatives, and some supposedly enlightened intellectuals in Britain (as indeed in much of Western Europe) are today one-sidedly antagonistic toward Israel.

Palestine has in recent decades, and especially since the year 2000, become the favorite paradigmatic case of oppression for left-wing militants despite far bloodier events around the world including massacres in Africa and on other continents. In the Manichean approach adopted by anti-Zionist groups in British society, Israelis are not only bad guys; they are the embodiment of absolute wickedness and capitalist-imperialist evil. On the other side, the Palestinians represent absolute purity, regardless of the atrocities they have committed. Amazingly, this has not been affected by the Arab revolutions of 2011 despite their revelation of the cruelty, corruption, and cynicism of Arab regimes, especially Libya and Syria; or their

exposure of the marginality of Israel and the "Palestine question" to the key issues of the Middle East.

Broadly speaking, Israel is perceived by much of the British left and by the Islamists as being white, Western, and utterly foreign to the Middle East—in other words, as brutal colonialist invaders. The whole story of the Zionist project is depicted as that of a foreign invasion and the stealing of an indigenous people's land. That is the bottom line of the entire Palestinian narrative, which to an astonishing extent has been swallowed hook, line, and sinker by much of British and West European elite opinion. The Palestinians (with only the feeblest of Israeli hasbara responses) have been successfully cast in the role of "Jews," downtrodden and ruthlessly abused by Nazi-like Israelis.

To this grossly distorted vision we should add the popular but corrosive and mendacious image of Israel as an "apartheid state." These perceptions are already a pillar of the Islamist-leftist discourse, adopted by growing numbers of liberal "critics" of Israel. Many of these libels are endlessly duplicated throughout Western Europe—in Norway, Sweden, the Netherlands, Spain, as well as France and Germany. In Britain these misleading amalgams have achieved considerable resonance and intellectual respectability. They are even part of mainstream discourse in *The Guardian,* or *The Independent,* or in Marxist publications like the *New Left Review.*

Anti-Zionism is equally endemic in the *London Review of Books*, a prestigious elite opinion-forming journal that has never, in the last twenty years, published a single article on the Israeli-Arab conflict that could be considered balanced (let alone pro-Israeli). It has, however, printed many hostile pieces, often written by leftist Diaspora Jews or anti-Israeli Israelis. The use of Jewish accusers obviously provides a useful alibi against charges of bias, discrimination, and anti-Semitism, but that should fool nobody. The BBC has also over the years made its own unique contribution to delegitimizing Israel, and it is still immensely influential through its television and radio programs, which have a worldwide impact. There has been some slight improvement in its coverage more recently—in response perhaps to the Iranian threat and the Arab revolutions.

ISLAMISTS, ISRAEL, AND BRITISH SOCIETY

The impact of the Islamists on British society is more difficult to measure. Clearly, the militants form only a small minority within the broader Muslim community of the UK, which currently numbers close to three million people. With the Jewish population of Britain standing at about three hundred thousand, that makes a ratio of approximately ten Muslims to every Jew in the UK today. There is a similar ratio in France, except that there are six million Muslims and about six hundred thousand Jews in the contemporary French Republic. The relations between Muslims and Jews in both countries have had their ups and downs, but they remain tense. There is no doubt that the Anglo-Jewish community is worried (with good reason) about the radicalization of anti-Israeli and anti-Jewish feelings among young Muslims and about propaganda that teaches hatred of Jews as "the sons of apes and pigs."

At the same time, feelings toward Muslims within the British public are also becoming more antagonistic after a decade of high-profile terrorism, growing awareness of the threat of jihad, and the aggressive declarations by some Muslim clerics about the need to impose Sharia law in the UK. Iran, too, is a country that inspires considerable loathing in the UK

ever since the Ayatollah Khomeini's fatwa, over twenty years ago, inviting Muslims to murder British author Salman Rushdie. But the undoubted antipathy to Iran does not diminish the hostility to Israel in many quarters of British society.

The anti-Israeli obsession has steadily seeped into the chattering classes, the free professions, the churches, and nongovernmental organizations. It is especially virulent in academia. When I was a student in the UK in the mid-1970s, already then we had to fight against a well-organized anti-Israeli delegitimization campaign that was encouraged by the notorious 1975 United Nations resolution equating Zionism and racism. The Palestinians and the left-wing student radicals (especially Trotskyites) actively sought to ban Jewish societies on campus. At that time they failed.

Today, however, anti-Zionism is much better funded, more respectable, popular, and streamlined. It is, moreover, in tune with the postcolonial Zeitgeist. One factor in this anti-Zionist transformation is the growing attention paid in the UK to British Muslim opinion and the broad sympathy with the Palestinian cause among British elites. This trend accelerated beginning in the early 1980s, though little attention was paid to it then by decision-makers in Jerusalem. Awareness of the dangers of delegitimization has taken decades to fully penetrate the heads of a rather narrow-minded and sometimes arrogant Israeli political, security, and media establishment. This is also true of the Anglo-Jewish leadership, which until very recently acted as if it was unaware of the gravity of the dangers confronting the Jewish community in Britain.

The left-wing, liberal-democrat, and Muslim efforts to "Nazify" Israel and thereby invert the Holocaust have played a significant role in cementing the new convergence of interests between the British left and the Islamists. The abuse of the Holocaust as a political weapon against the Jewish state has indeed become increasingly rampant. Many Islamists openly deny the Holocaust (not only in Iran) and this has gradually penetrated into parts of the Muslim Diaspora. There are also a number of anti-Semitic conspiracy theories eagerly espoused by Muslim radicals that either openly use or echo the wild fantasies of "Jewish world domination" in *The Protocols of the Elders of Zion*. In addition, on the British left there is a "soft" version of *The Protocols* that evokes the pernicious "Zionist Lobby" and the insidious, hidden power of "Jewish moneybags."

Such anti-Semitic topoi periodically surface in British political debate. Only last year a Labor MP, Sir Gerald Kaufman—a well-known Jewish accuser of Israel—misleadingly referred to the Conservative Party as being funded by reactionary Jewish millionaires. He was cashing in on the stereotypical notion that successful Jews are rich and sinister conspirators who are always to be found on the side of such imperialist reaction.

Such attitudes were already rampant on the British left (especially among the trade unions) as far back as the protests against the Boer War around 1900. It is significant that since the mass demonstrations against the war in Iraq some ten years ago, there has been considerable cooperation between left-wing and anti-Zionist Trotskyite movements such as the Socialist Workers Party (which have considerable extraparliamentary influence) and Islamic organizations like the Muslim Council of Britain. Anti-Semitism has been further stimulated by the growing influence of the Muslim Brotherhood, as well as the racist anti-Jewish material that is funded by Saudi Arabia and openly preached in the British mosques or on sale in Islamist bookshops. The "decadent" Western culture that the radical Muslims constantly execrate is seen as being controlled and dominated by Jews. This adds a further inflammatory dimension to Muslim anti-Semitism, which on this point has many affinities

with the neofascist right. The message of the jihadists is far more explicitly genocidal in its incitement than its equivalents in left-wing anti-Israeli propaganda, but it is the latter that provides the intellectual legitimacy.

A RISING TIDE OF HATE

Finally, there is the boycott. Britain today is the world center of the academic boycott and also of trade-union efforts to economically sanction Israel. The trade unions are still a powerful force in British society. Millions of members at least nominally support an economic boycott of Israel. For the moment it may be confined to produce coming from the West Bank, but the aim goes beyond that. The TUC (Trades Union Congress), the General Transport and Workers Union, UNISON (the public workers union), and the major British unions in general have been effectively hijacked by the anti-Zionist Palestine Solidarity Committee. The academic unions have repeatedly passed resolutions that denounce Israel as an "apartheid state." They call for cutting all links with Israeli universities—ending scientific, technical, and other cooperation. If it were not for a legal opinion that pronounced such measures to be discriminatory, the effects would already have been far more severe. These trends also exist elsewhere, but only in Britain has the boycott achieved such a level of legitimacy—even though most Britons would almost certainly oppose a boycott of Israel in any truly democratic vote.

Incitement against Israel in many circles in Britain, especially the elites, is increasingly brazen. In just one example from 2011, a criminal court trial took place after the ransacking of a factory near Brighton that was producing armaments that were also to be exported to Israel. About two hundred thousand pounds' worth of damage was done to the factory. The judge, however, issued an eighty-seven-page statement that in the most partisan way basically justified the perpetrators. This summation was not the work of a militant Muslim or a leftist anti-Semite but of a respectable judge within the independent British judiciary. The criminals in this case were, of course, acquitted as a result of his remarkably biased instructions. He spoke angrily about Gaza as a "hellhole on earth" and even managed to blame Israel for the assault on the factory, implying that the Israel Defense Forces were nothing more than an army of child killers. This incident is only one of many that reveal the erosion of barriers against the demonization of the Jewish state in Britain.

In the current toxic atmosphere of debate, even to raise such issues is all-too-often to be suspected in "enlightened" circles of being a "Zionist lackey," an Islamophobe, or a racist. Moreover, in so-called "progressive" as well as Islamist or liberal and conservative circles, one often encounters a vehement denial of the existence of anti-Semitism—except when it comes from the far right or unrepentant neo-Nazis. Almost a decade ago the radical British poet Tom Paulin, like many on the left, did not hesitate to brand any allusion to anti-Semitism as a cynical ploy by the Israeli government and its "Zionist" lackeys. This is also the position today of prominent left-wing politicians like Ken Livingstone or George Galloway.

One consequence of this denial syndrome is that during the past decade, Britain has been sleepwalking into a morass of anti-Israeli and anti-Jewish prejudice, which bodes ill for its future and that of its Jewish community.

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ON ANTI-ZIONISM AND ANTI-ISRAELISM

Elhanan Yakira

The subject I wish to address here does not fall directly within the definition of "incitement to terror," or "incitement," or even "terror." Although it is undoubtedly linked to the issue of terror or incitement to terror, it is broader and in particular harder to define, identify, pinpoint, and comprehend. In many ways it is an even more important phenomenon than the violence that results from what we commonly refer to as "terror," and in the long term also more dangerous.

Perhaps the time has come to adopt a new term: *anti-Israelism* (or perhaps for linguistic expediency, *anti-Israeliness*). The addition of the suffix "ism" to the fairly commonly used term anti-Israeli has various implications: first and foremost it indicates the emergence of a *phenomenon*. And today we are indeed faced with a phenomenon, rather than merely a few sporadic, random instances of anti-Israelism, and that phenomenon comprises some specific elements that warrant closer examination. At the same time, the term anti-Israelism also clearly implies close links with other similar and related phenomena, namely, both anti-Semitism and anti-Zionism. However, despite such similarities and links, anti-Israelism in its own right deserves a more precise analysis.

Let us begin with a few words about similarity. There are without doubt many parallels between anti-Semitism through the ages and the current anti-Israelism (or anti-Israeliness). For instance, hatred of Jews dates back to ancient times; but after the birth of Christianity, and especially the emergence of Pauline theology—that is, the push to split with Judaism and the transfer of legitimacy from the Old Testament to the New—the invalidation of Judaism became a key factor in Christian ideology. Over time anti-Judaism evolved into one of the fundamental building blocks of European cultural identity.

It is impossible to understand Europe without understanding the attitude toward Judaism, which has always been complex and multifaceted, as part of its culture. Even when it was based on the invalidation of Jewish principles—and that was not always the case—such invalidation did not necessarily, or even for the most part, include violence or exhortation to violence (not to mention genocide or annihilation). On the contrary, religious theological opposition to Judaism actually called for its defense, for a tolerant approach to religious differences and contrasts, and for safeguarding the existence of Jews. St. Augustine is one such important example, and there are many others.

THE SOURCES OF ANTI-SEMITISM

However, it was Christian theologians who provided the theological foundation and theoretical justification for the delegitimization of Judaism. One of the unique features of anti-Semitism throughout history—perhaps the most interesting of all—is the fact that it appears, grows, and develops as an elitist phenomenon, particularly predominant among the intelligentsia. This is one element that differentiates it from other phenomena of hatred and violence (toward foreigners or indeed anyone "different"). On various occasions Jews were victims of violence, whether more or less severe. But it is not especially that violence which is of special interest in anti-Semitism, nor does it constitute its defining element. On the other hand, the fact that so many of Europe's leading intellectuals—great thinkers from all walks of life, writers, artists, philosophers, scientists, and others—have been anti-Semitic in one way or another is indeed a fascinating, particular, and important point of interest.

THE SOURCES OF ANTI-ISRAELISM

The present-day phenomenon of anti-Israelism also shares similar characteristics. Its principal, most eloquent, and determined proponents are likewise members of the intelligentsia, a fact that leads to an important conclusion: anti-Israelism is primarily a phenomenon denoting an identity, and mostly a cultural identity.

It is not only the traditionally anti-Semitic and anti-Zionist radical right and radical left that are currently at the forefront of anti-Israelism; some prominent members of the European and American intelligentsia are equally anti-Israeli. Such people usually—not always, but usually—do not call for any acts of violence against Israel, Israelis, or Jews. Instead, following the current popular trend, today's anti-Israelism does have complex, usually implicit, rapports with terrorism and the direct incitement to violence that emanates mainly from Muslims and Arabs, but it does not take part itself in any direct call to violence—and certainly not to destruction. Even where the inherently Jewish nature of the state of Israel is negated, and even—here and there—where calls are heard for the state to cease to exist, on the face of it this does not refer to the physical destruction of its Jewish residents. That does not appear to be the topic.

Two aspects of similarity between historical anti-Judaism and current anti-Israelism, then, are the intellectual nature of the phenomenon on the one hand and its not-necessarily-violent inclination on the other. Thus anti-Israelism can indeed be seen as a continuation of traditional anti-Semitism or a phenomenon that falls within the more general category of "Judeophobia."

But there are also perfectly good reasons to believe that there is a difference between the phenomena and to view anti-Israelism as a specific phenomenon in its own right. For instance, it is counterproductive, and usually more harmful than helpful, to characterize anti-Israeli positions and spokespeople as anti-Semitic. Every statement of that kind is immediately turned into a weapon in the attack on Israel and its supporters: anyone who calls his counterpart an anti-Semite is instantly perceived as McCarthyist or seeking to silence dissent.

THE PARTICIPATION OF JEWS AND ISRAELIS IN ANTI-ISRAELISM

Another facet, however, seems both considerably more serious and also quite unprecedented and utterly unique in history. Similar phenomena have been seen in other places and at other times, but not on such a scale. I am referring to Jews, former Israelis, and current Israelis jumping on the anti-Israeli bandwagon en masse. Indeed they are not only participating, but actually spearheading the movement, a fact that is of the utmost importance and that, both in and outside of Israel, does not receive enough emphasis.

It is hard to estimate the scope of this phenomenon, but it is certainly widespread enough to require attention. Even if, as it would appear, the numbers of Jewish and Israeli activists involved in anti-Israelism are not great, there is nevertheless a significant group of Israelis—some still resident in Israel at least part of the time, and others who have already gone to live elsewhere—who travel around the world speaking out against Israel. To a considerable extent they no longer address the Israeli public but a much wider one mostly on university campuses, but also outside the campus—in the UK, for example, in France or (increasingly) in Germany, in the United States and other places. Of course they receive a certain amount of support in Israel too, from an audience willing to listen to and accept what they say on home ground. However, they are apparently becoming increasingly marginal in Israeli society. On the other hand, they are gaining ground in various bids to delegitimize Israel in other forums—for instance, in what has become known as BDS (the boycott, divestment, and sanctions movement) and by other means, more and less sophisticated.

One very significant development in this context is the reception that greets such Israelis abroad: they are accorded warmth and friendship and their message is welcomed. Naturally there are many explanations for such a phenomenon: it is a kind of alibi; it is expedient; the righteous, as is well known, are happy to have their work carried out for them by others. In any case, the role played by Israelis in anti-Israelism is an important one, and must be understood if we are to understand the phenomenon itself.

EUROPEAN LENIENCY TOWARD PALESTINIAN TERROR

Ultimately, however, the most important component of anti-Israelism is the inclination embedded deep in the European consciousness (and to a not insignificant degree the same applies in the United States) to accept even the most extreme and provocative anti-Israeli discourse as legitimate. Two examples may help clarify this point.

Following the massacre by Anders Breivik in Norway, the Norwegian ambassador to Israel made an interesting statement in which he differentiated between the event in his own country and Palestinian terror against Israelis.[1] The Palestinians, he said, "are doing this because of a defined goal that is related to the Israeli occupation," whereas "in the case of the terror attack in Norway, the murderer had an ideology that says that Norway, particularly the Labor Party, is forgoing Norwegian culture."

What is of interest here is not—or perhaps it is—especially the fact that a European ambassador to Israel allowed himself to make a statement that is without doubt both stupid and scandalous, but the fact that such a person—surely educated, articulate, and intelligent—could make that statement without being aware that it was morally outrageous.

The point is not even the content of what he said, but the fact that His Excellency the ambassador was not even aware that what he said was out of order, that his words may have created the impression of justifying Palestinian terrorism in some way, or at least that it had some valid political foundation.

In the second example, I was invited about a year ago to take part in a public discourse on the question of "What is Zionism?," which was due to be held at the École normale supérieure, one of France's most prestigious institutes of higher education. The initiative for the invitation came from several Jewish students at the École and followed on two or three highly successful appearances there (so I was told) by the Israeli academic Shlomo Sand, speaking to packed halls. Prof. Sand had come to talk about his book *The Invention of the Jewish People*, which was translated into French (among other languages) and greeted with much enthusiasm in France. I was told that it had sold over a hundred thousand copies there, which is very unusual for an academic book in France or anywhere else. In light of the contents of Sand's book, some students had thought it worthwhile to invite three other professors to talk on Zionism from a nonhostile point of view.

In contrast to the lively interest aroused by Prof. Sand, the discussion in which I took part was attended by very few people, no more than thirty or forty. Apparently some failed to come because of a rumor that disturbances were expected. And in fact there was some commotion in the hall. For almost three-quarters of an hour a small group of some five or six youngsters stood there shouting a variety of anti-Israeli slogans. This Greek chorus was more pathetic than threatening, but what was especially interesting was the audience reaction. Not a single person stood up to protest and no one left his seat; there simply was no reaction. Although the behavior was clearly in contravention of freedom of speech and freedom of expression, although *prima facie* it was neither unreasonable nor invalid to invite three professors, one Israeli and two French, to speak on the subject of "What is Zionism?," we were not allowed to speak until the protestors grew tired of shouting and eventually left the hall.

As I sat there on the podium looking out at the scene unfolding before me, I reflected to myself that we have already been here, that there is something paradigmatic in the public remaining silent, something paradigmatic in the remarks of the Norwegian ambassador, and something paradigmatic in the silence of these people, most of whom I imagine are not really anti-Israeli. Or at least not openly so.

Also present in that hall in Paris, of course, were cowardice, fear, spinelessness, and so many other characteristics already known to us from similar circumstances of greater and lesser importance. But there was something else too: the legitimization of the harshest and most extreme form of anti-Israeli dialogue. That pathetic bunch of young people shouting their anti-Israeli slogans were not exhorting the audience to kill Jews, or Israelis, and it is hard to imagine any of that little group going to the lengths of causing physical harm to Jews or Israelis. It is even possible that some of them may have been Jewish, but their "discourse" was something else entirely, and it was dangerous. It manifested a willingness to listen passively to a call that implied a justification of murder, destruction, and violence. It is that willingness that we call the "delegitimization of Israel."

DELEGITIMIZATION

One common element carried through from traditional anti-Semitism to present-day anti-Israelism, and shared by both, is that they turn delegitimization into a project. Delegitimization is in effect a technical term borrowed from the fields of law and politics. But in the present context of delegitimizing Israel, it takes on an entirely different meaning. The term delegitimization as applied in political or legal theory has a very defined function. It belongs almost exclusively to the space between the ruler and the ruled, or between, for example, government and citizens. What is popularly known as the "Arab Spring" spawned daily news items using phrases such as "Gaddafi loses his legitimacy," "Assad's regime has no legitimacy," and so on. But no one talks of Syria itself being in some way illegitimate. The idea of legitimacy in modern political thought was born in or around the seventeenth century, with attempts to understand the basis on which a state could justify its demand for the obedience of citizens to government or rulers. It is here, and only here, that the use of the word legitimacy is appropriate. Legitimacy is a matter between state and people; it is not possible for the state itself to be "illegitimate."

In more recent times, since World War II, a relatively new theoretical-legal dialogue has evolved. Legal categories have appeared, especially in the field of international law, which apply *prima facie* to states per se. But even here the question under debate is not the legitimacy of states per se, but the criminal or noncriminal manner in which those states conduct themselves. It is commonplace to say that there may be "rogue states." More precisely, this refers to cases where the conduct of their leadership is criminal—the military, or those acting in the name of the state or with its backing, or where the state is willing to tolerate their actions. One question discussed within this context is whether—on either a theoretical or a practical level—the establishment of international institutions or the existence of international cooperation is justifiable for the purpose of legal clarity in such cases. Nowhere is the question of the legitimacy of the very existence of a state raised, even if that state is deemed "rebellious" and even if it pursues criminal activities.

The state of Israel exists by virtue of many things: the agreement of the international community, a United Nations resolution on partition, and the ensuing developments are well known. But talk of the delegitimization of the state of Israel or of Zionism does not refer to anything that can be defined in valid legal terms. This discourse of delegitimization really focuses on something else altogether: it legitimizes an eventual genocide.

The significance of what is known as "the delegitimization of Israel" comes very close to the term "license to kill." The calm manner in which the anti-Israeli discourse seems to be received is what is often concealed behind the "innocent" façade of "legitimate criticism" of Israel and "its policies"; it precisely endorses the idea that the destruction of Israel is in fact conceivable. Even good people who do not consider it either necessary or permissible to kill Jews, even those who do not believe that the state of Israel should be obliterated— all are willing to come to terms with the fact that individuals appear on the stages of respected educational institutions, on campuses, in the press, or on television and talk in all seriousness about the dissolution of the state of Israel as a Jewish state. Ultimately, as in the case of anti-Semitism that did not take into account the destruction of Jews at all, the seeds of disaster—even as a mere possibility—are sown by a consensus of silence in the face of anti-Israeli dialogue.

A recent edition of the French journal *Citées* was devoted to a debate on "Zionism and Anti-Zionism." Among the twenty or so articles it contained, representing a full range of positions—pro-Zionist, anti-Zionist, and neutral—was one contributed by two fairly well-known Israeli philosophers, a man and a woman, which ended with the simple, blunt, direct, and quite open statement that the time has finally come to end what they termed "the Zionist regime."

Beyond the linguistic propriety and correctness and behind the theoretical posturing, this is a call for the dissolution of the state of Israel. The whole matter would not merit any serious attention were it not for one thing: the understanding at the very basis of this article that it is acceptable to make such statements in a civilized society. Indeed, in Israel and in other places too a whole subculture exists that of course rejects the idea that, for instance, Jews belong to an inferior race, or some similar notion. Yet, while this subculture has the means to express itself, those who speak seriously of the dissolution of the state of Israel are in no way denounced.

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THE DELEGITIMIZATION OF ISRAEL IN SCHOOLS IN THE WESTERN WORLD

Manfred Gerstenfeld

In October 2011 it became known that the German EVZ Foundation had financed two high school student programs that promoted hatred of Israel. This state foundation was created to compensate Holocaust slave workers and fight contemporary anti-Semitism.[1] In one program a Dutch Jewish anti-Israeli extremist, Hayo Meyer, visited the Anne Frank High School in Gutersloh. He equated Palestinian suffering with the mass murder of Jews in the Holocaust and termed Israel a "criminal state."[2]

In the same month at the high school in the village of Nesbru in Norway, an exhibition sponsored by Norwegian Church Aid was held on "Palestine." It included a picture of a crossed-out Israeli flag with "Murder" written in reverse underneath it. After a protest by an Israeli student and some negative media publicity, the school finally decided to remove the exhibition.[3]

The next month Hugo Deckers, secretary of the Belgian socialist teachers trade union (ACOD), threatened Jewish schools. He wrote a letter to the Flemish Jewish paper *Joods Actueel* about the announced expansion of Israeli settlements after the Palestinian Authority had gained membership of UNESCO. Deckers wrote that "If this is the [Israeli] reaction, I will as union leader of the ACOD, bring the situation of Jewish schools in Antwerp to public attention. I suspect you will be frightened."[4]

In May 2012 a Toronto Islamic school was investigated after a complaint by the Friends of the Simon Wiesenthal Center for Holocaust Studies. The curriculum at the East End Madrassa taught boys about treacherous Jews and Jewish plots. It also contrasted Islam with the Jews and the Nazis. After this became public, the school apologized to the Jewish community.[5]

In the same month in a General Certificate of Secondary Education exam by the Assessment and Qualifications Alliance, Britain's largest exam board, more than a thousand teenagers who took the religious-studies test paper were asked, "Explain briefly why some people are prejudiced against Jews." The question was heavily criticized. Education Secretary Michael Gove said to the *Jewish Chronicle*: "To suggest that anti-Semitism can ever be explained rather than condemned, is insensitive and, frankly bizarre." He added that it was "the duty of politicians to fight prejudice, and with anti-Semitism on the rise we need to be especially vigilant."[6]

WHAT IS KNOWN?

Little is known about anti-Israeli incitement in schools in the Western world. Yet the topic is crucially important. In certain schools in a number of countries, a new young generation of Israel-haters and anti-Semites is being formed.

This issue needs to be put in perspective. There are about sixteen categories of originators of the delegitimization of Israel. Over the years, substantial information has been collected about some of these perpetrator categories. Considerable material is available about the hatred of Israel coming out of Muslim states. Much is also known about anti-Semitism among Muslims in the Western world, and about anti-Semitism issuing from the United Nations, NGOs, neo-Nazis, the Western extreme left, socialist and Labor parties, and academics. Information is quite limited about the promotion of Israel-hate in Christian environments and in the trade unions.

About the delegitimization of Israel in schools, however, almost nothing is known. There are only a few studies on subtopics in some countries. A major study on this topic is required and would necessitate significant funding. Two things can be done in the meantime. First, an inventory can be made of the information available as far as studies and anecdotal material are concerned. Second, an outline can be made of the subjects to be analyzed in a more detailed study.

THREE RELATED SUBJECTS

When studying the delegitimization of Israel in schools, two other topics need to be investigated. One is anti-Semitism there; the other concerns Holocaust education in European schools. As Holocaust teaching is often part of the official curriculum, problems related to Israel emerge in these lessons as well.

Within this overall topic of high school-related issues, a number of subjects need to be investigated. The first concerns the neutrality of textbooks and curricula. A second aspect is whether the lessons given by teachers are objective. A third theme is the attitude of non-Jewish students toward their Jewish schoolmates.

Besides these major issues there are others, such as: does a school offer Holocaust education and what are the responses to it? Is there harassment of Jewish teachers? Other questions concern Jewish schools. First of all, one should investigate whether there has been violence against Jewish schools; and second, when Jewish schoolchildren participate in activities outside of the school, are they harassed? And finally, what is being done to counteract the negative developments?

WHAT DATA ARE AVAILABLE?

This author has identified a small number of studies concerning some aspects of hatred related to Jews and Israel in schools. In the United States and France, bias in textbooks has been analyzed. A study in the Netherlands has dealt with anti-Jewish prejudice in Amsterdam schools. A 2011 study in Norway shows major anti-Semitism in Oslo high schools.[7] In Brussels, a study of Dutch-speaking schools found that Muslim students are far more anti-Semitic than others.[8]

Each of the subjects mentioned will now be analyzed in more detail. Textbooks used in schools are sometimes a major source of biased anti-Israeli teaching. In the 1990s Mitchell Bard published a study, *Rewriting History in Textbooks*, on eighteen of the most widely used history textbooks in American high schools. He found them "full of factual errors, oversimplification, omission, and distortion. All these are consistently to the detriment of Jews and Israel. This inevitably leads to the conclusion that the authors are prejudiced."[9] Bard concluded that American "high schools are, as far as anti-Israeli teaching is concerned, even worse than universities."

Another analysis on the same subject in 2008 by the late Gary Tobin and Dennis Ybarra confirmed what Bard had concluded.[10] They also found that Arab and Muslim interest groups try to whitewash and glorify all things Islamic and promote Islam. In this way a multitude of lies have permeated American textbooks.

In France several studies have been undertaken. These have found, for instance, that facts on the Middle East are presented so as to imply that Palestinian terrorism is different from other terrorism.[11]

How the Jews are presented in the context of French history is possibly even worse. One researcher, Joëlle Allouche-Benayoun, summed it up in a spirit of caricature: "in antiquity there were the Hebrews whose religion, Judaism, was significantly improved by Jesus, founder of Christianity. At the end of the nineteenth century, a Jew and French officer (Dreyfus) was accused of treason; this divided the country until the beginning of the twentieth century. In the middle of the twentieth century during the Second World War, Jews were exterminated. Other Jews who subsequently created Israel conduct an unjust war against the innocent Palestinians."[12]

In Britain there is proof that anti-Semitism in some Muslim schools is far more prevalent than in other schools. A Panorama TV program aired by the BBC in November 2010 dealt with what is taught in Saudi-run Muslim schools in Britain. It found that these schools used textbooks from Saudi Arabia that teach children from age six and up that Jews are descendants of monkeys and pigs.

The Panorama program also showed one textbook proclaiming that "Jews are cursed by God." It furthermore asked children to list the negative qualities of Jews. Teenagers who follow the Saudi national curriculum are being taught that Zionists aim to take over the world for the benefit of Jews and that the fabricated text of *The Protocols of the Elders of Zion* is true.[13]

Sometimes one can incite children with a single sentence. For instance, in a Dutch-language textbook for the sixth grade in Belgium, students are asked to read sentences with the correct intonation. One of these was, "When a Palestinian child in Jerusalem saw a Jewish soldier arriving, he shrank in fear."[14]

One can only imagine what the reactions would be if a Belgian textbook included an intonation exercise with the sentence: "After a Palestinian suicide terrorist killed many Jewish children and adults, the Belgian media focused mainly on the Israeli military response."

An article by Gideon Böss in the German daily *Die Welt* accuses the three major German textbook publishers of presenting Israelis as perpetrators and Palestinians as victims.[15]

BIASED TEACHING

A second topic of investigation is biased teaching. There are no detailed studies available. The information available is thus largely incidental and anecdotal in character. The cases mentioned above from Germany and Norway illustrate that almost everything is possible.

Much of the information we have is necessarily indirect. One can check whether there are anti-Israeli opinions among non-Jewish and Jewish schoolchildren. It then emerges that they have often derived these views from their teachers. In the United States, one source of indirect information on biased teaching in schools is the youth group of the Orthodox Union (OU). The National Conference of Synagogue Youth (NCSY) has developed culture clubs in over 150 public schools across the country and reaches thirty thousand Jewish youngsters. Former OU chief executive Rabbi Tzvi Hersh Weinreb says, "We find that many children are very anti-Israeli. They have been very much brainwashed by an extremely anti-Israeli educational establishment."[16]

HARASSMENT OF STUDENTS

Another major issue is the harassment of Jewish students in public schools. A pioneering effort on this subject some years ago in France was the publication of a book called *The Lost Territories of the Republic*.

Many problems of anti-Semitism are caused by some Muslims. But Christian students are also harassed by them. It would be mistaken to say that the ideological hatred of these Muslims focuses exclusively on Jews and Israel. It also is directed at the United States; yet their real target is French society.[17] This finally became very clear in the anti-French riots of autumn 2005.[18]

For statistics on harassment of Jewish students in schools one can again focus on Norway. In June 2011 the Oslo Municipality published a study on racism and anti-Semitism among eighth- to tenth-grade students in the city's schools, which at the time came as a shock. The study found that 33 percent of the Jewish students regularly experience bullying at school. According to the definition used, these students are targeted with verbal or physical abuse at least two or three times per month.[19]

HARASSMENT OF JEWISH TEACHERS

Sometimes Jewish teachers are also harassed. There is some information on incidents in a number of countries. One example comes from Norway. David Katznelson, an Israeli teacher who has lived there for fifteen years, said he has had a swastika spray-painted on his mailbox and that his Jewish students have been afraid to publicly disclose their faith.[20]

JEWISH SCHOOLS

The past forty years have seen a number of bomb and arson attacks on Jewish schools. Initially this occurred mainly in Muslim countries and in Latin America.[21] In a 1995 car bombing in Lyon, France, outside a Jewish school, fourteen people were injured.[22] In the

past decade there have been a number of attacks on Jewish schools in Montreal.[23]

The most serious incident took place in southwestern France in March 2012. A few days after murdering three French soldiers, the terrorist Mohammed Merah killed a teacher and three children at a Jewish school in Toulouse.[24]

The impact of the murders went far beyond France as Jewish communities all over Europe implemented enhanced security measures. Ervin Kohn, head of the Jewish community in Oslo, told the daily *Dagbladet*: "This could just as easily have happened in Norway. We do not feel safe." He added that the Jewish community is a vulnerable group and would like to see permanent police protection at its institutions.[25]

In the Netherlands extra security measures for Jewish institutions were put in place. There is a long conflict between the Jewish community and the Dutch government about the latter's unwillingness to contribute toward the community's large expenses for security.[26] In Belgium, England, Italy, and other European countries, Jewish communities expressed their fears.[27] Even in New York increased security measures were taken.[28]

The Merah murders had a sizable bandwagon effect.[29] For several months there was an increase in anti-Semitic incidents in France. In July a pupil of the same Jewish school in Toulouse, who was wearing a Star of David, was beaten up in a train by North Africans.[30]

Jewish schoolchildren are sometimes insulted or attacked near their schools or when they go on school trips. This has happened a number of times, for instance, to students of the Amsterdam Jewish elementary school Rosh Pina.[31] Jewish children at non-Jewish schools sometimes transfer to Jewish schools because of harassment. This has been reported in several places such as France,[32] Amsterdam,[33] and Berlin.[34]

PROGRAMS TO COMBAT ANTI-SEMITISM

In a few places there are programs to combat anti-Semitic hatred. The Amsterdam Municipality has developed such a program to diminish anti-Semitism and Israel-hatred among mainly Muslim students. This has had some good results. Although the number of Muslim anti-Semitic students has decreased, it remains far higher than among other students.[35] One of the main problems of the program is that it teaches the topics of the Holocaust and the Middle East together. The Jewish community has protested against this mix-up many times, but without results.[36]

The Fast Program (Fighting Antisemitism Together) in Canada is led by a coalition of non-Jewish Canadian business and community leaders. It aims to educate sixth-, seventh-, and eighth-grade students about the dangers of intolerance with an emphasis on anti-Semitism. This program has received wide acclaim from educators.[37]

In Germany, the Amadeo Antonio Foundation has done some work on making teachers aware of how to deal with expressions of anti-Semitism in schools.[38] On a local level, there has been a project to fight anti-Semitism including schools in the Kreuzberg neighborhood of Berlin.[39]

What goes on in schools in many countries can be very dangerous for Jewish children. Anti-Semitic experiences in school can have a major impact; some Jewish parents report that their children are still traumatized many years later. On a different level, many high school students including Jewish ones may arrive on campus with a bias they acquired previously

in school.

A new generation of Israel-haters is being educated in some countries of the democratic world. Part of this is done at home, but another part by those who are charged with forming the students' minds and values. Much more effort has to be invested by the Israeli government and Jewish communities. What is happening is dangerous both to Jewish children and to Israel.

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APPENDIX: OUTLINE OF A STUDY TO BE UNDERTAKEN

This appendix outlines how a study on the subject could be structured and what topics would be examined.

1)   Textbooks

a) Are racism and anti-Semitism addressed and in what way?

b) Are there differences in how religions are presented?

c) Are there any anti-Semitic statements in textbooks?

d) How is the Holocaust presented?

e) If the Israeli-Palestinian conflict is presented, are the issues analyzed objectively?

2)   Teaching

a) Is anti-Semitism addressed in the classroom?

b) How is this done?

c) Do teachers react to anti-Semitic incidents in the classroom?

d) Is there reporting to their schools of anti-Semitic incidents?

e) Do schools report on incidents to the relevant authorities?

f) Are teachers organizations involved in addressing the anti-Semitism issues?

3)   Anti-Semitism in Schools by Fellow Students

a) Are there statistics on anti-Semitic incidents?

b) What is the nature of incidents?

c) Are Jewish students leaving schools because of anti-Semitic incidents?

d) Are students reporting anti-Semitic incidents to their school?

e) Are students reporting personal incidents to authorities and Jewish organizations outside of the school?

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THE INCITEMENT AND CULTURE OF PEACE INDEX: METHODOLOGY AND TRENDS

Yosef Kuperwasser and Asher Fredman

A stable Israeli-Palestinian peaceful relationship requires the cessation of Palestinian incitement against Israel and its replacement by the cultivation of a culture of peace. The demand for a halt to incitement has been adopted by the international community and incorporated into nearly every framework for Israeli-Palestinian peace, from Oslo II to the Roadmap to the Annapolis Agreement. Indeed in his first meeting with Palestinian Authority chairman Mahmoud Abbas, President Barack Obama stated that it was very important for the Palestinians "to continue to make progress in reducing the incitement and anti-Israel sentiments that are sometimes expressed in schools and mosques and in the public square, because all those things are impediments to peace."[1]

In order to track incitement levels and to encourage the PA to adopt policies conducive to the creation of a culture of peace, the Israeli Ministry of Strategic Affairs developed, in coordination with other relevant bodies and organizations, the Incitement and Culture of Peace Index.

The index distinguishes between four dimensions of culture-of-peace development and incitement:

a. Explicit incitement to violence and terror
b. Encouragement of an atmosphere of violence and terror
c. Incitement to hatred and demonization
d. Education for peace or for the continuation of conflict

The index is scaled from +100 to -100. The scores for each of the first two dimensions make up 30 percent of the overall weighted index score, while those of the latter two each make up 20 percent. In each of these four dimensions, incitement or culture-of-peace development is measured according to eight categories:

a. Chair of the Palestinian Authority (currently Mahmoud Abbas)
b. PA and Fatah officials
c. Media: PA-controlled newspapers, television, and radio
d. Education: PA textbooks, formal and semiformal educational systems
e. Basic documents of the PLO, Fatah, and the PA
f. Religious messages: conveyed by PA-affiliated religious authorities or outlets
g. Internet: PA and Fatah-affiliated Internet sites and social media platforms
h. Culture/other: PA-sponsored cultural events, other relevant examples

The numerical value in each category, on a scale from +10 to -10, is determined by a range of factors including quantity and quality of examples, seniority or importance of source, and the degree of PA involvement, as based on the assessment of the index's authors. The categories are accorded different weights across the different dimensions based on their relative importance in each (for example, Education and Culture are given greater weight in measuring the dimension "Education for peace or the continuation of conflict" than they are in measuring "Explicit incitement to violence and terror").

The index is prepared on a quarterly basis by the Ministry of Strategic Affairs, in coordination with relevant governmental and nongovernmental bodies. The index covers only the PA and does not relate to the de facto Hamas government in Gaza.

A RECORD OF ONGOING INCITEMENT

As of July 2012, indices had been prepared for eleven quarters. The values for each of the four dimensions, and for the overall index, have remained relatively consistent across all eleven. The indices have consistently shown lower levels of explicit incitement (with some notable exceptions) and higher levels of encouragement of an atmosphere of violence and terror, incitement to hatred and demonization, and education for a continuation of conflict rather than for peace. External events including developments in the political-diplomatic sphere have a limited impact on the overall degree of incitement.

The relative consistency across the different time periods despite external developments suggests that Palestinian incitement reflects the core components of the Palestinian narrative: These components include:

1. The belief that all of "historic Palestine" (from the Mediterranean to the Jordan River) will return to Palestinian control, and denial of Israel's right to exist as a state, let alone as the nation-state of the Jewish people.

2. Demonization and dehumanization of "the Zionists"—Zionist Jews in general and Israelis in particular.

3. All forms of struggle—including terrorist attacks—are legitimate in principle. The decision as to which form to employ is made according to the circumstances. Agreements with Israel do not negate the legitimacy of the struggle.

The continuous indoctrination reinforces values antithetical to peace as core elements of Palestinian national identity. This is the primary obstacle to an end to the conflict and to peace between the two peoples.

We turn now to a brief description of some of the main trends in each of the eight categories during the period in which the index has been prepared. The list of trends is in no way exhaustive.

Chair of the PA: PA chairman Mahmoud Abbas has repeatedly stated his view that terror attacks against Israelis run counter to Palestinian national interests at present, given the current geopolitical reality. Changing this reality is, at this time, beyond the capability of the Palestinians or the Arab states. Instead, Abbas has called for the expansion of "popular resistance" or "nonviolent popular resistance." While describing terror attacks as counterproductive, Abbas has on a number of occasions glorified and praised arch-terrorists, and has distributed payments to them or their families. He has used prominent forums to

demonize Israel and Israelis, for example, by accusing them of training wild boars to uproot Palestinian trees, and of targeting civilians, threatening Islamic holy places, and carrying out ethnic cleansing. He has stated repeatedly his refusal to accept Israel as a Jewish state or to insist that Hamas recognize Israel before a Fatah-Hamas reconciliation. At the same time, Abbas has declared on several occasions his desire to see Palestinians and Israelis living side by side in peace.

PA and Fatah officials: PA and Fatah officials have frequently used public platforms to glorify terrorists and *shahid*s (martyrs) and present them as role models. They are generally more explicit than Abbas regarding the continued legitimacy and praiseworthiness of armed attacks against Israel, even if the PA has decided to pursue other forms of "resistance" at the current time. PA officials promote the libels that Israel steals Palestinian organs, is spreading aids and drugs among the Palestinian population, is plotting to destroy the Al-Aqsa Mosque, and that its actions are worse than those of the Nazis. PA and Fatah officials frequently deny that Israel has any legitimacy, or that the Jewish people have any connection or right to any part of the Holy Land or its holy sites.

Media: The same trends seen among PA and Fatah officials are present in abundance in PA-controlled media, often in more extreme forms. Video clips aired to commemorate the day of Fatah's founding or Yasser Arafat's death glorify terrorist attacks and repeat the message that Fatah remains committed to the rifle and armed struggle. Official PA TV often airs documentaries and music videos that describe Israeli cities such as Haifa, Tiberias, and Ashkelon as Palestinian. Israel is frequently referred to as the "'48 territories" or the "occupied interior," thereby denying the legitimacy of its existence.

Education: PA textbooks, while seldom calling directly for attacks against Israel or Jews, include numerous texts that present *shahada* (martyrdom), jihad, and the armed struggle for Palestine in a positive light. Israelis are depicted almost exclusively in a negative manner as harming Palestinians, and Israel is portrayed as a racist colonial implant and a tool of Western imperialism. Israel and the pre-1967 "Green Line" do not appear on most of the maps published. Textbooks on religious subjects and those used in the religious school system (the Wakf) contain anti-Semitic material in which Jews are cast as the enemies of Islam, and as imbued with negative character traits. The index's findings also indicate that incitement in semiformal educational settings such as youth movements and summer camps, and in lessons given orally within the classroom, may be more severe than that contained in official textbooks.

Basic documents: Core or founding documents of Fatah and the PLO, such as the Fatah constitution, call for armed struggle against Israel until it is destroyed. Israel is described in these documents as a racist, colonial entity with no legitimacy or right to exist. The PLO charter, which calls for the elimination of Israel, appears in full on a number of official PLO websites. While the charter was supposedly modified by Arafat in 1998 to remove the articles contradicting the Oslo Accords, some of these sites fail to mention any such modification.

Religious messages: Israel is frequently accused by PA religious figures and media of plotting and even training to destroy the Al-Aqsa Mosque so as to rebuild the "alleged Temple" in its place. Jewish holy sites such as the Western Wall and the Cave of the Patriarchs are described as exclusively Islamic. At the same time, there appears to be relatively little incitement in PA-area mosques, in which the subjects of sermons are heavily controlled by the PA. One prominent (though certainly not sole) exception was the decision of the mufti of the PA, Muhammad Hussein, to recite at an official Fatah ceremony on January 9, 2011,

the *hadith* (tradition attributed to Muhammad) stating that "the Hour of Resurrection will not come until the Muslims fight and kill the Jews."
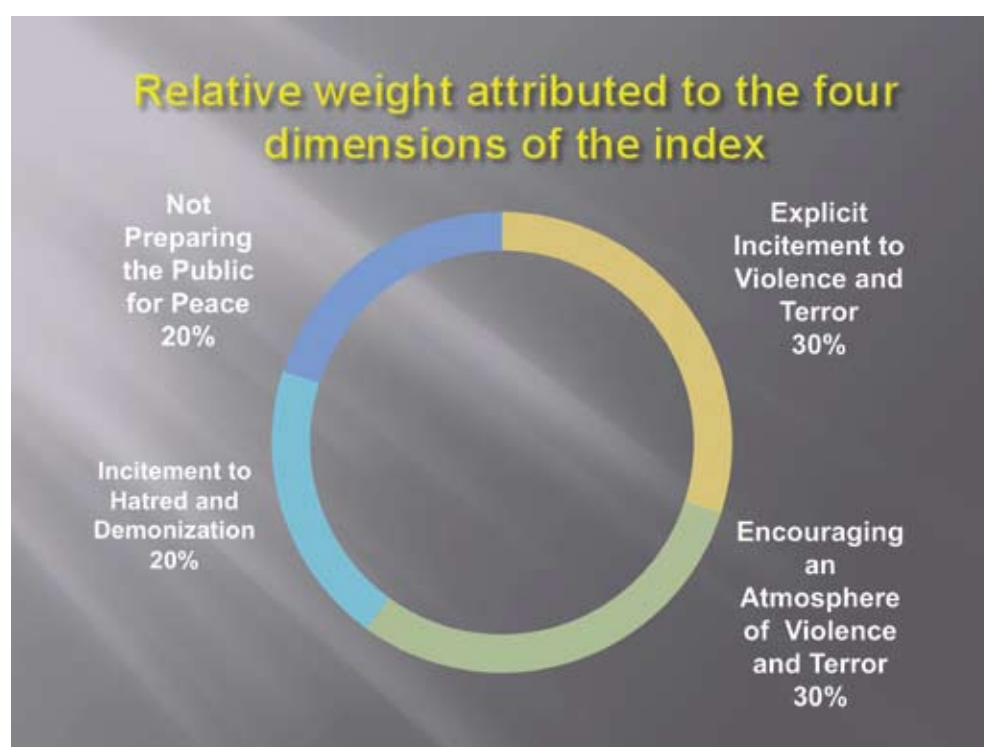
Internet: Videos and discussions on PLO and Fatah-affiliated websites and social media often contain explicit calls or praise for terrorist attacks. More systematic tracking of such sites is needed so as to gain a clearer picture of web-based incitement. The authors of the index have set this as a goal in the index's continued development.

Culture: Cultural performances and events under PA auspices often repeat the inciteful messages promoted in PA-controlled media. These include veneration of the rifle and armed struggle, praise for terrorists, *shahid*s, and *shahada*, and the description of Israeli cities as Palestinian. Israel is frequently accused of stealing Palestinian culture in the form of food, dress, and music.

The Requisites of Peace

The much-desired Israeli-Palestinian peace can only be achieved once the PA eliminates incitement against Israel, cultivates a culture of peace, and accepts Israel's existence as the nation-state of the Jewish people. Members of the international community and human rights organizations should insist that the PA respect international standards regarding incitement, renounce the glorification of violence and terrorism, and promote a culture of peace.

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Relative weight attributed to the four dimensions of the index

Not Preparing the Public for Peace 20%

Explicit Incitement to Violence and Terror 30%

Incitement to Hatred and Demonization 20%

Encouraging an Atmosphere of Violence and Terror 30%

Example of graph illustrating levels of incitement across eight categories in one of the four dimensions

Not Preparing the Public for Peace

	Promoting Hate		Promoting Peace
Education (30%)	10_	-5	10+
Chairman of the PA (15%)	10_	1	10+
Culture and Other (13%)	10_	-4	10+
Official Documents (10%)	10_	-6	10+
Religious Messages (10%)	10_	1	10+
Media (Print/ Broadcast) (10%)	10_	-5	10+
PA and Fatah Officials (7%)	10_	-6	10+
Internet (5%)	10_	0	10+

(relative weight)
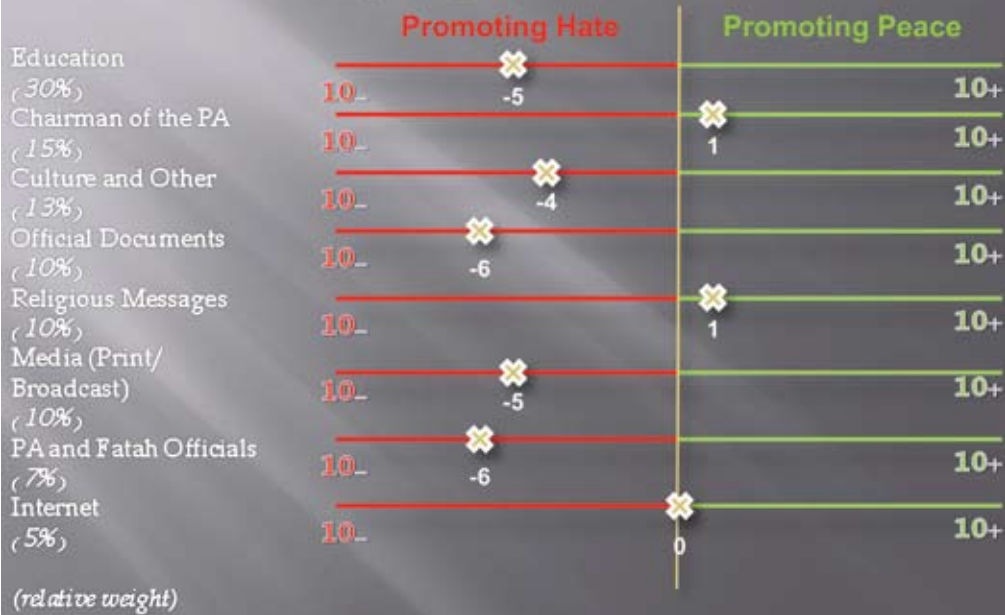
Results over ten quarters for each of the four dimensions

| | Jan-Mar '10 | Apr-Jun '10 | Jul-Sep '10 | Oct-Dec '10 | Jan-Mar '11 | Apr-Jun '11 | Jul-Sep '11 | Oct-Dec '11 | Jan-Mar '12 | Apr-Jun '12 |

Explicit Incitement to Violence
Encouraging an Atmosphere of Violence
Incitement to Hatred and Demonization
Preparing Public for Peace or Conflict

Weighted final results over ten quarters
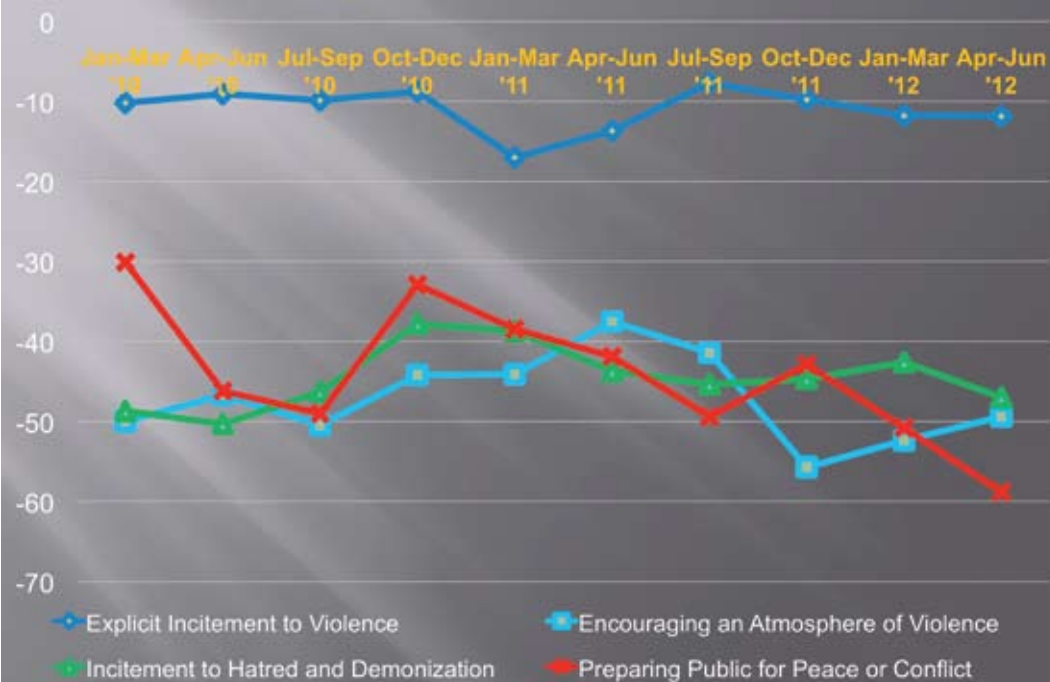
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DECEPTION: THE PALESTINIAN AUTHORITY'S PUBLIC COMMITMENTS AND ITS ACTUAL ACTIVITIES AND MESSAGES

Itamar Marcus

Palestinian Media Watch (PMW) was founded sixteen years ago, and the goal was to find out what Palestinian leaders were saying among themselves in Arabic. We knew what they were saying to the media; we knew what they were saying to negotiators. We wanted to know what they were saying to their people and, in particular, what they were saying to their children, because we believed and still believe that what was being said to Palestinian children reflected their true opinions and goals and would determine if we could have peace in the Middle East.

To this end, we study the controlled PA media, using it as a window into all of Palestinian society. If we were going to name the organization today, we would call it Palestinian Society Watch, because we are studying phenomena like sports, culture, crossword puzzles, entertainment, official public speeches and events, and everything that is happening at the leadership level and among the general population in the Palestinian Authority. Through this broad-based monitoring, we get an accurate and comprehensive sense of PA society and of the direction in which it is being led by the leadership.

There are numerous examples of anti-Semitic websites that demonize Jews and openly call for Israel's destruction that are condemned by Western leaders. There is an incorrect assumption that those messages are no longer part of the official PA world. What we at PMW have found is that those very same horrific messages calling for Israel's destruction and hatred of Jews are similar to the messages coming from the PA, except for one thing: the packaging. Those same hate messages are usually, but not always, packaged differently by the PA.

The openly hateful websites are often anonymous or do not care about their standing in the West. The PA, however, presents itself to foreign leaders as an authentic participant in a peace process and does care about its standing in the West. It needs international funding and wants the West to pressure Israel. So the PA has to be more subtle, and we usually see very careful packaging of its hate promotion. While some of the websites that openly promote hatred of Jews and the destruction of Israel are closed down, the Palestinians package similar hate messages as Palestinian culture or as their so-called "historical narrative," inserting the messages into music, song, and dance, which are subsequently ignored in Washington and Brussels.

What are these hate messages that are being disseminated by the PA, which completely contradict the messages of reconciliation it expresses in English? There are three fundamental commitments that the PA made to Israel and the international community in order to be accepted as a participant in a peace process. They are not final-status commitments, but are preconditions the PA must fulfill so as to be acknowledged as a negotiating partner and a participant in dialogue. They have been reiterated many times by the Middle East Quartet (comprised of the United Nations, the Russian Federation, the United States, and the European Union) and by the United States: (1) the PA must recognize Israel, (2) it must stop hate incitement, and (3) it must stop and distance itself from violence. Of course, PA leaders regularly say that they fulfill these commitments. Nevertheless, they transmit the opposite messages to their own people through activities, culture, education, and more.

NEGATING ISRAEL

The PA denies Israel's existence and right to exist, but transmits these messages in ways it hopes will not anger the international community, often through cultural expression, especially at events and in TV programs for children.

The following is from a cultural event broadcast on official Palestinian TV. What could be wrong with song and dance? Unfortunately, a lot:

"[O bird,] turn to **Safed**, and then to **Tiberias**,

and send regards to the sea of **Acre** and **Haifa**.

Don't forget **Nazareth**—the Arab fortress,

and tell **Beit Shean** about its people's return.

O flying bird, circling around...

by Allah, O traveling [bird], I burn with envy.

My country Palestine is beautiful....

Go to Jenin, and bring me [grain] from its valley.

Greetings to Nablus, Tulkarem and their soil.

Drink the water of Jaffa's port, don't forget Ramle and Ramallah.

O flying bird, circling around, by Allah,

O traveling [bird], I burn with envy. My country Palestine is beautiful."

(PA TV [Fatah], June 24, 2011)

At the event, children were dancing in a circle to a song about a bird flying over "Palestine," with the words: "My country Palestine is beautiful." But it was not only the PA areas they were singing about; it was also cities all over Israel being presented as "my country Palestine" (see bold). If someone had yelled and screamed, "Destroy Israel!" that would have been rejected. But in culture, music, and dance, singing about a world in which Israel is erased and replaced by "Palestine" is very successful packaging: the United States and Europe do not complain about it, and they even pay for it through their support of the PA general budget.

Another example is a children's program on official Palestinian TV that taught children to believe they are living in a world in which Israel already does not exist:

We went to the Sea of Galilee and to the Dead Sea. Jaffa, Haifa [Israeli cities].

PA TV host: "Do you enjoy going on trips? So show me where you've been on the map of Palestine."

Children approach the map in the studio on which all of Israel is "Palestine."

Girl points to places on the map: "We went to the Sea of Galilee [a lake in Israel] and to the Dead Sea."

Boy points on the map: "Jaffa, Haifa." (Israeli cities)

Girl: "And Jericho."

Boy: "And Jenin and Nablus."

Host: "So you've visited many different places in Palestine, and that's very good. It's very good that we're always visiting new places in our state, Palestine."

(PA TV [Fatah], May 16, 2010)

Note what the PA TV host said: "our state, Palestine." Not a geographic area, not British Palestine, but "our state, Palestine." According to the PA children's education, Jaffa, Haifa, and the Sea of Galilee are already part of the "state of Palestine."

There are literally hundreds of such examples, on all sorts of programming for children, youth, and adults, which, with bright colors and big smiles, present a world in which Israel no longer exists.

The same messages are directed at adults and the PA leadership. PA TV broadcast a Fatah event celebrating the founding of Fatah. Present at the gathering were PA chairman Mahmoud Abbas, director of PA TV Yasser Abed Rabbo, and other Palestinian leaders sitting in the front row. The song that was performed at this important Fatah event, with hundreds of people in the audience clapping, presented all of Israel as "our [Palestinian] land":

From Rafah to Rosh Hanikra (northern Israel) our coast, and Beit Shean (Israeli city).

"We commit and promise to stand behind you, oh Mahmoud Abbas, until Judgment Day. I am returning to you, the purest land, oh land of the free. No matter how long the nights of exile, I am returning to you, oh land. From Rafah to Rosh Hanikra [northern Israel] our coast, and Beit Shean [Israeli city]. Above your soil, oh my land, is a picture of the Garden of Eden. From Rafah to Rosh Hanikra our coast, and Beit Shean. Above your soil, oh my land, is a picture of the Garden of Eden. From Rafah to Rosh Hanikra, north and south, are the picture's borders. From Haifa [Israeli city] and Tantura to the [Jordan] valley [i.e., all of Israel]. I am returning to you, the purest land, oh land of the free."

(Thirty times on PA TV [Fatah], February 27, 2011 through June 2012)

The song was about Rosh Hanikra, Beit Shean, Haifa, and everything in between, and all of it was presented as part of "Palestine." And this was performed in front of the PA leadership at a Fatah event—on live PA TV. This demonstrates that denial of Israel's right to exist comes from the leadership, from the so-called moderate Fatah Party. Significantly, by June 2012 the song had been rebroadcast over thirty times. Clearly, a message that the PA's leaders and official TV want to send to their people is this: Palestine encompasses all of modern-day Israel.

In addition to this active indoctrination of youth and adults to picture a world without Israel, the PA uses maps in official settings to convey the same message.

At times the maps are creative. This cartoon is from the official PA newspaper and was published at a time when the PA was promoting unity between Fatah and Hamas. The two figures represent those two organizations, and the cartoon expresses the idea that if Fatah and Hamas unite they will establish the state of "Palestine," as illustrated by the image created between them of a map of "Palestine" that includes all of Israel. In addition, the PA flag is flying over it, indicating political sovereignty over all of Israel.

(*Al-Hayat al-Jadida,* March 21, 2011)

Here is a logo of the Fatah children's organization. Note the PA flag surrounding the map, which again includes not only PA areas but all of Israel as well.

(http://www.fazo.ps/whous.php, accessed June 21, 2012)
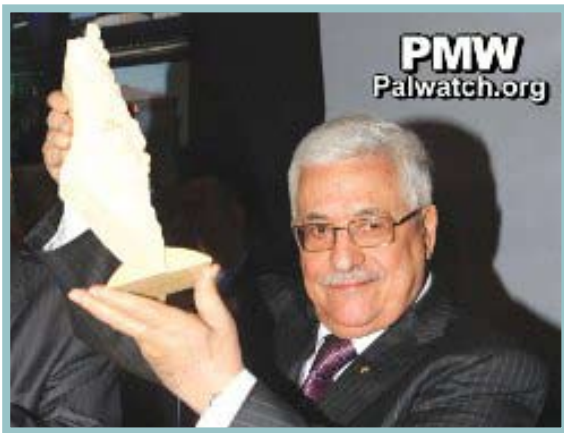
In this next example, we see the same messages coming from the top. Here Mahmoud Abbas is seen holding up a map that includes all of Israel, with his newspaper's caption labeling it "a stone model of the map of Palestine."

(*Al-Hayat al-Jadida,* October 26, 2010)

The week before and after Abbas went to the United Nations to request recognition of Palestinian statehood and proclaimed that he wanted two states living side by side, his newspaper published dozens of maps that erase Israel and replace it with "Palestine." This map also appeared on the official PA TV channel, which is under Abbas's control. There is no way to interpret the map as accepting two states. This map dates to September 24, the day after Abbas's UN speech. In the map, the Palestinian flag is wrapped around all of Israel. The key symbolizes ownership, sending the message: "All of Israel is ours."

(PA TV [Fatah], September 24, 2011)

At a sporting event, while singing the national anthem, this map was displayed. Again, it is very subtle. No one directly tells these children to destroy Israel; instead, the message to them is that there *is no Israel.*

(PA TV [Fatah], September 26, 2011)
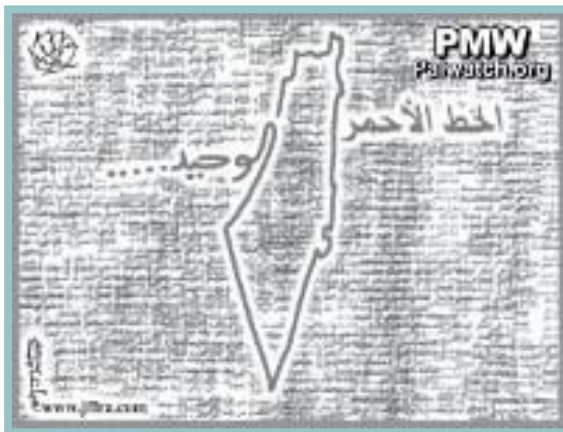
Finally, in this map the message was not even "packaged" or hidden; yet the implications are still somehow ignored by those funding the PA. This map is from the official PA newspaper. It encompasses all of Israel and has the following words above it: "The only red line." The PA message to Palestinians is that "the only red line," which Palestinians are not prepared to cross, is all of Israel.[1]

(*Al-Hayat al-Jadida,* August 21, 2011)

Lastly, there is an additional component to the PA's denial of Israel's right to exist. Everything described so far has been related to rejecting Israel on Palestinian nationalistic grounds. However, the PA has also adopted Hamas religious ideology and now teaches that Israel cannot be accepted on religious grounds either.

The PA has learned that it cannot openly call for jihad on TV because the international community condemns it. Instead they present the conflict with Israel as a *ribat*, a religious conflict/war. These are the words of PA religion minister Mahmoud Al-Habbash:

"Allah has preordained for us the *ribat* on this blessed land. We are committed to it by Allah's command. Let no one be mistaken or under the illusion that *ribat* is a choice and nothing more. It is a commandment that necessitates hardship and requires the person to rush to fulfill this command. If Allah has chosen you for *ribat* on the land of *ribat*, you, the choicest of God's servants, then this is an honor. The enemy is patient, it is waiting for the nation to collapse. The struggle over this land is not merely a struggle over a piece of land here or there. Not at all. The struggle has the symbolism

of holiness or blessing. It is a struggle between those whom Allah has chosen for *ribat* and those who are trying to mutilate the land of *ribat*."

<div align="right">(PA TV [Fatah], February 12, 2010)</div>

The *ribat* is a mandatory religious war to liberate or defend land that is claimed as Islamic land. In a different sermon, the religion minister said the *ribat* started from the time of the Balfour Declaration in 1917. The *ribat* is over all of Israel's land and the war goes on forever. The PA gets away with this because they do not use the word jihad that people are familiar with, and they do not say "Kill the Jews." They say *ribat* and no one seems to notice or care, even though it is actually the same religious war and message: fight them, and fight them eternally—even until Resurrection Day—because Israel exists on holy Islamic land.

This message is not just transmitted by the PA leadership and PA television; it also appears in the official schoolbooks. In a twelfth-grade PA schoolbook that is in use today, Palestinian children learn that they are involved in "one of the greatest of *ribat*" and that they will be "in a constant fight with their enemies...until Resurrection Day." Palestinian children are being taught that Palestinians are in an eternal war with Israel to defend and liberate land that is said to be Islamic.

This PA religious ideology is never expressed to the international community in English. The same religion minister who in Arabic defined the conflict as a religious war told members of AIPAC: "the Palestinian-Israeli conflict is not a religious or historical conflict, but rather a political one."[2]

This religious packaging prevents any possibility of real peace with the Palestinians because even if the PA signs a peace agreement, it cannot be long-term or lasting. The land is not just "Palestine"; it is holy Islamic land, and Islam prohibits any Muslim from leaving it in the hands of Israel. Even if the Palestinian nationalist wants to accept peace with Israel, the Palestinian Muslim cannot.

Why is this religious packaging so important? A poll last year found that 85 percent of Palestinians say religion plays an important role in their lives, 13.7 percent say it is somewhat important, and only 1 percent say it is not important to them. Palestinian society is very religious, and the religious leaders teach them that Islam prohibits them from accepting Israel's existence. This religious ideology is one of the most dangerous elements in Palestinian society, and it is coming from Fatah. It is as dangerous to permanent peace as the religious ideology of Hamas. Yet because they do not use the word jihad but call it a *ribat*, the world does not notice or accepts it.

Sometimes, however, PA leaders ignore packaging and openly express their hateful beliefs and opinions. Recently the moderator at a Fatah event celebrating the anniversary of the founding of Fatah defined the conflict with Israel as a religious war, while demonizing Jews as "apes and pigs":

> "Our war with the descendants of the apes and pigs [i.e., Jews] is a war of religion and faith. Long live Fatah!"

<div align="right">(PA TV [Fatah], January 9, 2012)</div>

The PA mufti who spoke after him did not challenge him.

On the anniversary of Israel's creation, an op-ed in the official PA daily openly demonized Israel's creation, denied its right to exist, and expressed hope for its destruction:

> "The greatest theft in history...the most criminal act that humanity has ever seen... [the establishment of a] fascist state upon the ruins of the Palestinian people, which has suffered the greatest and ugliest ethnic cleansing known to modern history.... For 64 years we have not forgotten the light breeze of the Galilee...we have not forgotten the fragrance of the narcissus on the slopes of the Carmel [a mountain in Haifa]. We remember you, all of Palestine. You are present within us.... Until we return to you, oh Haifa, Acre, and Jaffa, all of historical Palestine...and all the temporary ones [Israelis] will go away.... May their [Israeli] independence collapse, and may Palestine come back to life."

> *(Al-Hayat al-Jadida,* May 15, 2012)

Social Affairs Minister Majida al-Masri also recently stated that the goal of Palestinians is the "liberation of Palestine—all of Palestine," meaning the destruction of Israel:

> "We demand of everyone to push ahead with reconciliation [between Fatah and Hamas] and to end the state of division, so that we will be able to stand against the occupation, to halt its activities against our prisoners, and to turn to the struggle for the liberation of Palestine—all of Palestine."

> (*Al-Hayat al-Jadida*, March 9, 2012)

What is clear from all this documentation is that regarding "recognition of Israel"—the most fundamental PA commitment demanded by the Quartet bodies—the PA is in complete and continuous violation of this obligation. The PA denies Israel's right to exist on the national level and prohibits acceptance of Israel's existence on the religious level.

THE MESSAGE OF HATE

The second PA commitment to the international community—to stop incitement to hatred of Israelis and Jews—is also abrogated by the PA. The structures under PA control actively incite hatred of Jews and Israelis but are careful to package it as "victimhood." Palestinians do not say that "Israelis are monsters"; instead they say, "We are victims of Israeli monstrosity." To the world this makes a difference because if they are victims, it is easier to justify their demonizing the people supposedly attacking them.

PA TV host: "The artist has been dealing with the Palestinian nation's problems." Shown on Palestinian Authority TV, July 13, 2012

For example, during an interview on PA TV, the TV host asked a Palestinian artist to discuss one of his paintings "dealing with the Palestinian nation's problems such as the Gaza massacres." The artist responded that his painting "is about the Gaza massacre...and the Zionist enemy's cruelty and savagery." The painting shows an ogre impaling children on his bayonet and eating them one by one. On the lower

right, dead children are piled up to be eaten and baby ogres are also shown eating children. The three monsters wear skullcaps with a Star of David.

(PA TV [Fatah], July 13, 2012)

This PA hate promotion is not limited to pictures. For example, the official newspaper accused Israel of imitating the infamous Nazi doctor Mengele by doing medical experiments on prisoners:

> "Israeli jailors imitate the German Nazis, who were the first to use prisoners as guinea pigs for testing weapons and deadly drugs. Mengele was the most famous among them. Israel is doing Mengele-like experiments on Palestinian prisoners."

(*Al-Hayat al-Jadida,* April 17, 2011)

The deputy minister of prisoner affairs, Ziad Abu Ein, speaking on PA TV, also compared Israel to the Nazis:

> "Israel forgets that we are now in the 21st century and that the conditions of our Palestinian prisoners are worse than the Auschwitzes of the Nazis, where Jewish detainees were held. If we return to the pictures of the Auschwitzes, how [Jews] were on beds and so on in the Auschwitzes— in our case, the beds were only introduced in the 1990s, and it was [only] a metal bed."

(PA TV [Fatah], October 6, 2011)

Three times in his short talk, he used the word "Auschwitzes," not only demonizing Israel but also minimizing the significance of Auschwitz.

In the same week that Abu Ein spoke, three other Palestinian officials appeared on PA TV saying that Israel treats prisoners worse than the Nazis treated the Jews and others in concentration camps. This is a constant message conveyed by the PA: Palestinians are victims because Israel is like the Nazis.

Many other PA messages of demonization and victimhood are directed at the Palestinian people: "Israel is spreading AIDS and drugs" or "Israel is spreading prostitution and drugs" are typical.

Even classic anti-Semitism is expressed through official PA structures. The following examples are from articles in the weekly religious column of the official PA daily:

> "The Jews talk in their conferences and in negotiations through their distorted, corrupted, false religion. The conflict between us and the Jews is not about land and borders, but about faith."

(*Al-Hayat al-Jadida*, June 3, 2011)

"In this lesson I wanted to talk about Cain and Abel—that's the first story on earth, whose victim was Abel, at the hands of his brother Cain—because this story shows a similarity to the Jews and their crimes...[who] followed in the footsteps of the first person on earth who threw off the yoke of Allah. Their [the Jews'] evil nature is drawn from Adam's first son [Cain who killed his brother Abel]."

(*Al-Hayat al-Jadida*, May 13, 2011)

"Zionism is an extreme religious ideology whose aim is political hegemony and the transformation of a Jewish monarchy in Palestine into a basis for their eternal rule over the world, [and] that others, 'goyim' [non-Jews], must submit to their will, [their rule] which is drawn from the will of God."

(*Al-Hayat al-Jadida*, May 15, 2011)

These PA messages are the essence of hate incitement: killing is inherent to the Jewish nature; Jews are a threat, not just to Palestinians but to all of humanity; Jews aspire to conquer the world; if the Jews have their way, the entire world will be victims.

Another example is the following video that appeared on official PA TV:

"The golden dome [of the mosque] shines with colors of the sky, with the white of clouds, while the joyous holiday [Eid al-Adha] is good to the residents. The light rain cleanses the steps of the foreigners [Jews] so that the feet [of Muslims] in prayer will not step on impurity."

(PA TV [Fatah], November 6, 2011)

The narrator of the program explained that the rain cleanses the streets of Jerusalem from "the foreigners." While this is said, PA TV shows religious Jews walking in the streets of Jerusalem. Through its official TV, the PA is telling its people that Jews walking around in Jerusalem create impurity, and the rain is needed to wash it away.

Even the youngest children are indoctrinated with hatred. On PA TV, a little girl was asked to recite the following poem referring to Jews and Christians as "inferior, cowardly, and despised":

PA TV host: "You are going to recite a poem, which also teaches us responsibility and belonging."
Girl: "Where is my weapon? I found it—a stone. I took it and threw it at the enemies of destiny. I taught the world that the Muslim in the name of Allah cannot be defeated....
They challenge us with the White House, and we challenge them with the [Islamic] awakening and the Kaaba [in Mecca]....
They [Christians and Jews] are inferior and smaller, more cowardly, and despised. They are remnants of the [Christian] Crusaders and Khaybar [the Jewish village destroyed by Muslims in 629]....
O Muslims of the world: awaken, you have slept too long.
Your fathers and your sons are being massacred, your Al-Aqsa [Mosque] is defiled and destroyed."
Host: "Bravo! Applause for our friend Lara."

(PA TV [Fatah], May 11 and June 2, 2012)

Two other PA TV programs included young children reciting a poem demonizing Israelis, with the verse, "Our enemy, Zion, is Satan with a tail." In both programs the children were praised for reciting the poem:

Host: "Lina, how did you participate in the exhibition [about teaching tools]?"
Lina: "I recited a poem."
Cohost: "Lina opened the exhibition."
Lina: "When I was young, I was taught that Arabness is my honor...
and that our lands extend from one end to the other,
and that our wars were for the Al-Aqsa Mosque,
and that our enemy, Zion, is Satan with a tail...."

(PA TV [Fatah], May 8, 2012)

Host: "Laila, what do you want to recite next?"
Laila: "When I was young I was taught that Arabness is my honor...
and that our lands extend from one end to the other...
and that our enemy, Zion, is Satan with a tail...."

(PA TV [Fatah], April 7, 2012)

PMW studies these and other children's statements to see if the hate messages transmitted by the PA leadership are repeated by Palestinian children. Sadly, the messages of demonization are common even among very young children. One such example was of children repeating the prominent PA libel that Israel killed Yasser Arafat. Three years consecutively, on the anniversary of Arafat's death, PA TV broadcast statements by children repeating and believing in the libel that the Jews killed him:

Ceremony host: "Blessings to Yasser Arafat, and here are messages from the children of Palestine."

Boy 1: "Yasser Arafat was a very, very important president…. All the Jews and the Israelis and the people who are against us, were afraid of him. When he died, he died from poisoning."

Girl 1: "I say that he died from poisoning by the Jews. That's what I say."

Girl 2: "The Jews poisoned him and I hate them very much. Allah will repay them what they deserve."

Boy 3: "They destroyed his whole house and he was left in one room and in the end the Jews poisoned him and blamed someone else."

Boy 4: "He died from poisoning by the Jews. Well, I don't know what he died from, but I know it was by the Jews."

(PA TV [Fatah], November 11, 2009, November 11, 2010, November 11, 2011)

The last statement, "I don't know what he died from, but I know it was by the Jews," is reminiscent of the situation of Jews in the Middle Ages. Demonization of the Jews was so prevalent that when people were afflicted by a plague, and no one knew why they were dying, all they needed was someone to claim that the Jews were poisoning the wells and the masses were willing to believe it. There had been so much demonization for so many years that people were convinced that if something bad happened, it must have been the Jews' fault. Ultimately, that is what this Palestinian boy is expressing. He has absorbed so much hatred of Jews that it is logical for him to conclude that the Jews must have been responsible for Arafat's death. This boy represents the tragic success of PA education of its children.

The first picture shown here is the international symbol encouraging people to dispose of garbage properly—a stick figure throwing waste in the bin. The second picture is the Palestinian version of this symbol. This second image is a poster that was placed on the wall of a Red Crescent office with other posters from a photography course. The figure was turned into a Palestinian, denoted by the Palestinian flag; the garbage being disposed of is the Star of

David, representing Jews, Israel, or both; the text below the picture reads, "Keep your flag clean." How does a Palestinian keep his or her flag clean? By disposing of the Jews.

(PA TV [Fatah], July 23, 2010)

THE "GLORY" OF VIOLENCE AND TERROR

The final PA commitment—to renounce violence—is also abrogated. The PA's glorification and support for violence and terror is built on its violation of the previous two commitments. If Palestinians can be convinced that Jews/Israelis stole their land and have no right to exist as a state, that Jews are poisoning them, and that Allah demands Jews be fought and killed, then mainstream Palestinians will support violence and glorify even suicide bombers who kill Israelis, including children.

Sometimes PA promotion of violence and terror is packaged as a religious requirement. At the same Fatah celebration mentioned above, PA mufti Muhammad Hussein, the highest religious authority in the PA, openly stated that the destiny of Muslims is to kill Jews, citing the hadith (Islamic tradition attributed to Muhammad) that says the Hour of Resurrection will not come until Muslims fight the Jews and kill them:

> "47 years ago the [Fatah] revolution started. Which revolution? The modern revolution of the Palestinian people's history. In fact, Palestine in its entirety is a revolution, since [Caliph] Umar came [to conquer Jerusalem, 637 CE], and continuing today, and until the End of Days. The reliable hadith, [found] in the two reliable collections, Bukhari and Muslim, says:

> 'The Hour [of Resurrection] will not come until you fight the Jews.
> The Jew will hide behind stones or trees.
> Then the stones or trees will call:
> "O Muslim, servant of Allah, there is a Jew behind me, come and kill him."
> Except the gharqad tree [which will keep silent].'
> Therefore it is no wonder that you see gharqad [trees]
> surrounding the [Israeli] settlements and colonies...."

(PA TV [Fatah], January 9, 2012)

In addition to the religious component, the PA promotes violence in many other ways. They produce music videos that glorify violence. Dancing with rifles to songs that glorify violence is a regular motif on PA TV. The PA does not openly say "Kill the Jews"; instead Palestinians dance with rifles, and the message comes across in a way that is acceptable because it is disguised as "culture."

At the same Fatah anniversary celebration cited previously with all the PA leaders, including Mahmoud Abbas sitting in the front row, a song was performed that defined Israel as a "snake's head" that must be fought against. This performance was broadcast three times on PA TV (September 4, 5, and October 17, 2011). The same hate song was also performed by another band five more times:

"O Palestinians, the revolution is certain, with the rifle we will impose our new life.

O Palestinians, [the Zionist] shot you with the rifle,

the Zionists are killing your doves in your sacred area.

O Palestinians, I want to go and be with you.

Fire is in my hands, and with you [I will] attack the snake's head [Israel]."

(PA TV [Fatah], August 14, 2011, January 20, March 26, 27, and May 3, 2012)

The PA leaders are seen on TV clapping to words calling to attack the "snake's head"—Israel. Had they drawn an image of Israel as a snake's head that was attacked, it would be condemned. But in this case, even though the PA leadership applauded the hate speech, it was not condemned because it was packaged as music and culture.

One of the most significant ways that the PA promotes violence is by honoring and glorifying terrorists. Glorification of terror leads people, especially children, to conclude that if you kill Israelis you become a hero. Terror glorification exists in countless contexts, including sporting events. For years PMW has documented sports tournaments named after terrorists. As far back as 2003, a soccer tournament was named after Abdel Basset Udeh, the suicide bomber who murdered thirty-one Israelis at a Passover celebration. All the teams in that tournament were named after different terrorists, and the brother of the dead suicide bomber handed out the trophy. Similarly, PMW has documented many summer camps named for people like Wafa Idris, the first female suicide terrorist.

One particular terrorist, Dalal Mughrabi, became known internationally after PMW publicized that the PA chose to name a square in Ramallah after her. Dalal Mughrabi led the most lethal terror attack in Israeli history. Thirty-six Israeli civilians and one American were killed in her bus hijacking in 1978. She is one of the terrorists most often glorified by the PA. During the last three years, the following events were named after her: summer camps, football tournaments, high school graduation ceremonies, women's clubs at Palestinian universities called "Sisters of Dalal," computer centers, and more. Two schools are named after her as well. Her name appears everywhere in the PA and music videos and other broadcasts regularly mention her as a national hero.

Again, packaging is essential. If the PA said it was glorious to kill thirty-seven civilians, the West would furiously condemn the PA. Instead the PA names events and places after Mughrabi and the West's funding of the PA is not affected.

These are the words of one of the music videos broadcast on PA TV honoring her and her terror attack:

"The coast was stormy with the glory of Dalal Mughrabi.

On the [Israeli] coast the heroes landed,

who shook the land, brought down mountains.

Dalal declared the birth of the [Palestinian] Republic,

the birth of the Republic."

(PA TV [Fatah], three times, most recently January 4, 2012)

Dalal Mughrabi is just one example. The PA honors all terrorists. Prisoners serving time in Israel are lauded as heroes, even those serving multiple life sentences for murder. Regardless of how many civilians they killed, the PA presents terrorists as role models for adults and youth.

This glorification of terrorists leads to terrible results. A poll conducted by the Pew Research Center in Washington asked Muslims in seven different countries if they agreed it was justified to use "suicide bombing and other forms of violence against civilian targets" in order "to defend Islam." In the PA, 68 percent said suicide bombing against civilians was justified (70 percent in Gaza and 66 percent in the West Bank). The highest support among Muslims in the other countries polled was Lebanon—with a much lower 35 percent; in Egypt the figure was 28 percent; Indonesia, 10 percent; Pakistan, 4 percent.

The PA population's support for terror is a direct result of PA policy. Terror glorification is everywhere in the PA: in summer camps, at sporting events, and on TV. With suicide bombers honored and glorified as holy Islamic martyrs by the entire so-called moderate mainstream of Palestinian society, it is no surprise that 68 percent would think suicide bombings against civilians are justified.

By supporting terror through terror glorification while still telling international donors that the PA opposes terror, the PA achieves two things. First, the PA leaders escape criticism from their funders because the support for terror is camouflaged. Second, since honoring a terrorist is a clear message that the population understands, the PA constantly indoctrinates people to support and honor violence and terror.

ABROGATING PEACE

All of this documentation is only a small representation of the widespread and tragically successful program of hate and terror promotion carried out by the PA. The PA has not fulfilled its fundamental obligations to be accepted as a participant in a peace process. The PA continues to violate its public commitments to (1) recognize Israel and its right to exist, (2) stop incitement to hatred, and (3) distance itself from violence and terror.

Even worse, on the societal level the Palestinian Authority has indoctrinated a generation of Palestinians to see Jews as the inherent source of evil, to see Israel as an illegal state that must be destroyed, and to see those who kill Israelis as heroes and icons.

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ENDNOTES

1   These examples are just a few among the many that can be seen at Palestinian Media Watch's website: www.palwatch.org.

2   *Al-Hayat al-Jadida*, January 20, 2011.

PALESTINIAN INCITEMENT AND PEACE: AN INSURMOUNTABLE INCOMPATIBILITY[*]

Joel Fishman

"Everything which exists by nature exists for an end and one cannot grasp its nature without understanding that end."[1]

Incitement to hatred and violence is a weapon of political warfare. Potentially, it is also one of the basic steps in the sequence of stages leading to genocide. As a weapon of political warfare, incitement belongs to the same category as agitation and propaganda. States and insurgent movements that engage in low-intensity conflict, such as asymmetrical warfare, use it in order to advance their ends. Its use provides a reliable indicator of a government's real motives.

Persistent reports describe the pervasiveness and intensity of Palestinian incitement against Israel. Such acts include the naming of public buildings, sports facilities, and streets after Palestinian terrorists who have murdered Israeli civilians.[2] A ubiquitous informational environment encompasses the educational system, teaching materials such as textbooks and maps, television, billboards, ceremonial occasions and anniversaries, and the media of popular culture, including websites and crossword puzzles. It conveys messages of hatred and messages honoring Palestinian "martyrs," killed while perpetrating terror attacks against Israeli civilians that exhort the youth to emulate such "exemplary role models."[3]

Despite the fact that the government of Israel has deliberated on the matter at the cabinet level, delivered numerous formal protests, and recently instated an Incitement and Culture of Peace Index,[4] a widespread lack of appreciation and even denial of the full significance of Israel's legitimate and substantive grievance persists. For years negotiators have sidestepped the problem of incitement. One reason may be that the destructive effects of incitement are not immediately apparent because they are cumulative. Another may be that the American administration and the European Union stubbornly adhere to the paradigm of the "peace process" and maintain a policy of not holding the Palestinians accountable to fulfill their obligations, while demanding unilateral concessions of Israel.

For example, Natan Sharansky described his great disappointment at the Wye River negotiations of 1998 when the Clinton administration systematically evaded the problem of Palestinian incitement because they feared that they would weaken Arafat and endanger the negotiations. At Wye, Sharansky warned President Clinton about the danger of incitement

but without success.[5] Another reason may have been that the international bystanders, such as individuals, public figures, churches, NGOs, and governments apply double standards and effectively condone the perpetrators.

In his personal blog and commentary, Ambassador Dore Gold cited the American negotiator, Dennis Ross, who disclosed retrospectively that Palestinian incitement had spoiled the peace process. The following are Ross's views with Gold's commentary:

> Dennis Ross...criticized the U.S. for ignoring the issue of Palestinian incitement: "The Palestinians' systematic incitement in their media, an educational system that bred hatred, and the glorification of violence made Israelis feel that their real purpose was not peace."... Ross [according to Gold] is extremely open in explaining the reasons why the U.S. did not deal with the incitement issue. Washington was always afraid of halting the peace process. It did not want to confront Arafat and mistakenly accepted his arguments that he was too weak. But Ross warns that there cannot be successful negotiations if there is one environment at the peace table and another environment in the streets.[6]

Dennis Ross faithfully implemented the official American policy of giving Arafat a free pass and it was good of him to admit this mistake. Looking back, it is evident that this policy did not bring peace closer. Rather, it permitted the situation to deteriorate and ultimately resulted in increased tensions and distrust. If one examines the historical record, it becomes evident that in the political war against Israel, incitement has become a major problem. What remains is to acknowledge the real importance of this problem to which policymakers have turned a blind eye. Not the least, the problem of incitement is closely bound to the issue of the Palestinians' true motives. If they really desire peace, they should be prepared to recognize "the existence of Israel as a truly legitimate entity."[7]

INCITEMENT AS A STEP TOWARD GENOCIDE

It is generally accepted that incitement which is propagated publicly for the purpose of encouraging others to commit an offense is a crime. Incitement to violence and "imminent lawless action" begins with words and ends in violence. Even if a crime has not yet been perpetrated, the gap between the two is small. Incitement is used to single out and target a population group for victimization, and researchers have identified it as a part of the sequence leading to genocide.

Prof. Jeffrey Herf, this generation's leading authority on the subject of Nazi German propaganda, pointed out the importance of a regime's public message and explains why incitement must be taken seriously. He wrote:

> I want to underscore the importance of Nazism's public record. For amid the lies and in the absence of proper names and specific places, Nazi leaders and propagandists spoke in public to millions of people in a more blunt, forthright, and perversely honest manner about their intentions toward the Jews than many officials and journalists at the time as well as historians have since acknowledged. Not only did the Nazis mean what they said when it came to their plans for European Jewry, they said what they meant in print and on the radio, reaching hundreds of thousands of readers and millions of listeners. In public discourse they did so without the euphemisms that became so famous in postwar analysis of the language of totalitarianism.[8]

Herf's observations confirm Hannah Arendt's earlier finding that totalitarian dictatorships are remarkably outspoken in proclaiming their true intentions. She wrote that, "In order not to overestimate the importance of the propaganda lies one should recall the much more numerous instances in which Hitler was completely sincere and brutally unequivocal in the definition of the movement's true aims, but they were simply not acknowledged by a public unprepared for such consistency."[9] This dynamic involved two parties: the Nazi-German Führer and those who refused or were unable to grasp what he actually said.[10]

To use Herf's formulation, incitement provides the means for translating hatred into an interpretive framework.[11] The Nuremburg Tribunal formally recognized this relationship when on October 1, 1946, it sentenced the publisher of anti-Semitic children's books and editor of *Der Stürmer*, Julius Streicher, to death by hanging. Its conviction and sentencing to seven years' imprisonment of the chief of the Reich Press Office, Otto Dietrich, may have had more far-reaching implications:

> Though the court recognized that Goebbels was able at times to influence the ministry's press directives, Dietrich's role was central. The [press] directives "were not mere political polemics...aimless expressions of anti-Semitism, and they were not designed only to unite the German people in the war effort. Their clear and expressed purpose was to enrage Germans against Jews, to justify measures taken and to be taken against them, and to subdue any doubts which might arise as to the justice of measures of racial persecution to which the Jews were to be subjected." The court found that in issuing them, "Dietrich consciously implemented, and by furnishing excuses and justifications, participated in the crimes against humanity regarding the Jews," and it thus found him guilty. The judgment marked the first time since the development of mass communication that a decision maker had been held accountable for the use of the press to incite hatred linked to genocide.[12]

Similarly, incitement has been identified as the central catalyst for the genocidal crimes which took place in Rwanda.[13] Not the least, the United Nations' Convention on the Prevention and Punishment of the Crime of Genocide has identified direct and public incitement as a crime in its own right, even when it does not result in genocide. Robert Cryer, professor of international and criminal law at the University of Birmingham, explained the nature of this crime:

> Direct and public incitement to commit genocide is criminalized in Article III(c) of the 1948 Genocide Convention. A provision akin to Article III(c) can be found in the Rome Statute of the International Criminal Court (Article 25(3)(e)). Incitement is one of a limited group of crimes related to genocide (the others are attempts at genocide and conspiracy to commit genocide) which do not require the commission of one of the genocidal acts set out in Article II of the 1948 Genocide Convention. Incitement, attempt and conspiracy are crimes in themselves. As none of these offenses require an act of genocide to be committed, they are referred to as inchoate (incomplete) crimes. Their incompleteness does not change the fact that they are criminal.[14]

Scholars in the relatively new field of genocide studies have also recognized the danger of incitement. Gregory H. Stanton, president of Genocide Watch, described what he termed "The Eight Stages of Genocide" in a 1996 briefing paper which he originally presented at the American State Department. According to Stanton, there are eight identifiable stages

to genocide:

1) Classification

2) Symbolization

3) Dehumanization

4) Organization

5) Polarization

6) Preparation

7) Extermination

8) Denial[15]

Incitement belongs to stage 3, which Stanton described as Dehumanization. Based on concrete historical experience, Stanton's description offers a chillingly accurate description of Palestinian incitement today:

> One denies the humanity of the other group. Members of it are equated with animals [such as apes and pigs], vermin, insects or diseases. Dehumanization overcomes the normal human revulsion against murder. At this stage, hate propaganda in print and on the radio, television or internet is used to vilify the victim group. In combating this dehumanization, incitement to genocide should not be confused with protected speech. Genocidal societies lack constitutional protection for countervailing speech, and should be treated differently than democracies. Local and international leaders should condemn the use of hate speech and make it culturally unacceptable. Leaders who incite to genocide should be banned from international travel and have their foreign finances frozen. Hate radio stations should be shut down, and hate propaganda banned. Hate crimes and atrocities should be promptly punished.[16]

During the 1980s, the Information Department of the Jewish Agency launched a campaign to bring about the repeal of UNGA 3379, the "Zionism is Racism" resolution. In this endeavor, the agency published several studies probing the dimensions of the problem. As part of this effort, Dr. Ehud Sprinzak, at the time an associate professor at the Hebrew University, described the effective meaning of delegitimization. He explained that the distinguishing characteristic of the new defamation campaign against Israel (and the new anti-Semitism) was a process of *dehumanization*, which, when brought to its logical conclusion, would deny to Israelis and Jews the commonly accepted human rights. His central thesis was that a *"qualitative change ushered in the anti-Zionism of the 70s, a change arising from the fact that Zionism has ceased being an object of delegitimation and had become an object of dehumanization"* (italics in original).[17] Sprinzak described the delegitimization process in terms which can easily be placed within Stanton's framework. Further, the ultimate stage of the process he describes may not necessarily be genocide, but rather "politicide," a term which Yehoshafat Harkabi coined some years ago:

> Delegitimization is a process involving ideological and symbolic manipulation. As a result of this process an accepted political entity, recognized as having a right to exist, is transformed into an unacceptable one without such a right... When delegitimization is achieved...the political entity that has been under attack comes to be seen not only as misguided and wrong, but as altogether undeserving of

existence.... In sum, a process of delegitimization occurs only when a political entity, previously held to be legitimate, loses that status as a result of a chain of events over time. Only at the end of that process has the entity lost its right to exist.[18]

The incitement process also provides the foundation for the campaign of delegitimization against Israel as well as the Boycott, Divestment, and Sanctions (BDS) campaign.[19] As applied to the BDS movement, Anthony Julius has explained that the call to boycott Israel in the UK really meant a form of discrimination.[20] Similarly, a background briefing paper which the CRIF published on the BDS initiative cites the judgment of the European Court of the Rights of Man of July 16, 2009, ruling that the boycott of a French mayor preventing the sale of Israeli food products in the municipal cafeteria represented "incitement to an act of discrimination."[21]

INCITEMENT AS A TOOL OF ASYMMETRICAL WARFARE: THE STRATEGIC AND CULTURAL DIMENSION

A regime may use incitement as a weapon of war in order to prepare its own population for combat, to divert the attention of the public from its own shortcomings, and to persuade it that demands for long-term sacrifices will ultimately be rewarded. In addition, incitement has a parallel role: to develop and mobilize active political support from abroad, which may result in aggressive political interference in favor of a cause. Effectively, this is part of a larger strategy intended to compensate for military weakness and drive the Palestinian question to the top of the world's political agenda.

One must appreciate the broader cultural assumptions behind a strategy which makes use of incitement (and terror, for the same matter) to achieve its ends. The strategy of fighting and negotiating is based on the assumption that war (usually between states but also among peoples) is the natural state of affairs.[22] If the armed struggle must continue until the ultimate goals are achieved, then the real goal of negotiations, whose purpose is commonly understood to be the conclusion of hostilities, is completely transformed. Those who have adopted a long-range program of conquest do not consider a peaceful conclusion of hostilities to be the ultimate purpose of peace talks. Here is the cultural "disconnect" with Western values. For those who engage in protracted conflict, "peacemaking" becomes a means of deception in order to gain advantage in the form of delays, recognition, and unreciprocated concessions.[23]

Not the least, a belligerent may use the actual meeting between sides as a means of undermining the legitimacy of an adversary. This method belongs to an approach known as "fighting and negotiating,"[24] which during the last century, the Red Chinese and later the North Vietnamese put to good use. The classical example of this method is Lenin's decision to accept the Peace Treaty of Brest-Litovsk of March 1918 between the Central Powers and the newly founded Russian Soviet Federated Socialist Republic. Most importantly, this arrangement took Russia out of the First World War and gave the Bolsheviks time to consolidate the new revolution. The terms of this treaty were absolutely draconian but Lenin never intended to implement them.[25]

TIME—THE FOURTH DIMENSION: ASYMMETRICAL WARFARE AND THE CUMULATIVE EFFECTS OF INCITEMENT

Our discussion of incitement and its place in protracted conflict indicates the centrality of the time dimension in the Palestinian strategy. No less important is the need to appreciate the meaning of *historical time*. In his classical essay, "The *Longue Durée*," the eminent French historian, Fernand Braudel, explained the meaning of "historical time." He explained that there were "two poles of time, the instant and the *longue durée*."[26] According to Braudel, there are things which move quickly, those which move slowly, and those which do not move at all. In this scheme, individual events are ephemeral, just like "fireflies in the night." For him, "the short time span is the most capricious and the most delusive of all."[27] In contrast, developments which take place over the long term, such as the building of societies and social structures, have transcendent value from which it is possible to derive solid knowledge. "For nothing is more important, nothing comes closer to the crux of social reality, than this living, intimate, infinitely repeated opposition between the instant of time and that time which flows slowly."[28] Braudel thus considered that history *sur la longue durée* offered more useful information than *l'histoire événemental*, history based on individual events. History over the long term has a broader basis which makes it possible to understand "the preeminent role of the history of institutions, of religions, of civilizations."[29] In the discussion which follows we shall also consider the type of political environment for which the propagation of incitement to hatred and violence is an essential need.

This brings us to a discussion of the main principle of asymmetric warfare. According to Mao Tse-Tung, "the basic principle of war is to preserve oneself and destroy the enemy."[30] That means that for the Palestinians to prevail, they need only stay in existence and persevere in their struggle to destroy Israel. If terror and violence become impractical in the medium term, then permanent political incitement and propaganda become an essential alternative in order to keep the conflict going.

In this perspective, one must understand the centrality of the fourth dimension—time—in Palestinian strategic thinking. The length of time which they are prepared to allocate in order to achieve their goals is endless. During the early 1970s, the PLO took the advice of the North Vietnamese and adopted the Strategy of Stages, or of "Phased Goals." The Vietnamese counseled the PLO to work for their goals in phases, and thus conceal their real purpose, while projecting the appearance of moderation.[31]

It is within this perspective, making use of time, even over generations, that one may grasp the real intent (and consistency) of Arafat and his organization. During a visit to Venezuela in 1980, he declared: "Peace for us means the destruction of Israel. We are preparing for an all-out war, a war which will last for generations....We shall not rest until the day when we return to our home, and until we destroy Israel....The destruction of Israel is the goal of our struggle, and the guidelines of that struggle have remained firm since the establishment of Fatah in 1965."[32]

Similarly, Thomas Friedman, in *From Beirut to Jerusalem*, noted this special sense of time when he quoted Abu Jihad (Khalil Wazir). When asked why he refused to come to terms with Israel, he declared "we will not be squeezed by time."[33] Friedman also cited Arafat who declared in his *Playboy* interview of September 1988 that the Palestinians would be willing

to wait as long as it takes. "The Vietnamese took 35 years of continuous war. The Algerians, 150; the Rhodesians, about 100; the Saudis. 500. But from the beginning we believed that sooner or later, we would achieve our goals, because we are WITH the tide of history, while Israel is AGAINST it."[34]

The late Feisal Husseini, whom the mainstream media designated as a "moderate," carefully reflected on the place of time in the Palestinian strategy. He drew a sophisticated distinction between types of time, ranging from short spans to the long term. The following statement is taken from Husseini's last interview published in June 2001. His declaration is perfectly consistent with those of Khalil Wazir and Yasser Arafat:

> You are dragging me into talking about what we refer to as our "strategic" goals and our "political" goals, or the *phased goals* [author's emphasis]. The "strategic" goals are the "higher goals," the "long-term goals," or the "unwavering goals," the goals that are based on solid pan-Arab historic rights and principles. Whereas the "political" goals are those goals which were set for a temporary timeframe, considering the [constraints of] the existing international system, the balance of power, our own abilities, and other considerations which "vary" from time to time.
>
> When we are asking all the Palestinian forces and factions to look at the Oslo Agreement and at other agreements as "temporary" procedures, or phased goals, this means that *we are ambushing the Israelis and cheating them* [author's emphasis]....
>
> Our ultimate goal is [still] the liberation of all historical Palestine from the [Jordan] River to the [Mediterranean] Sea, even if this means that the conflict will last for another thousand years or for many generations.[35]

It should be noted that Feisal Husseini's appreciation of time, over the short and long term, as a component of strategy is closely bound to absolute maximalist goals combined with a corresponding approach which views warfare as being continuous. In retrospect, the existence of this statement has proved painful for certain Israelis, because during the period which preceded Oslo, Feisal Husseini used his considerable talent and his family's prestige to cultivate support in Israel for the Oslo agreements. Working with Israeli "peace activists," his objective was to shift the Israeli consensus in support of an agreement with the Palestinians.[36] But, as he proudly admitted, such endeavors were part of a larger and commonly understood strategy of deception.

Thomas Friedman explained that Yasser Arafat's major accomplishment as a leader was to deliver the Palestinians from oblivion to the "Land of Prime Time."[37] In the absence of any Israeli counter-challenge, Arafat was able to create the illusion that the Palestinians had a real moral claim, that they had suffered unjustly and that it was the obligation of men of good will to set things right.

When in the late 1980s Friedman first presented this interpretation, he argued that Arafat's approach was unsustainable.[38] Over a decade later and with some disappointment, Friedman again identified the same policy when the Palestinians brought about the breakdown of the Camp David talks and began the Second Intifada. In his *New York Times* op-ed entitled "Arafat's War," Friedman formulated the sequel to this interpretation by demonstrating that Arafat consistently opted for the "Land of Prime Time" over a practical solution. He wrote that after the breakdown of Camp David II and the fact that

President Clinton assigned guilt to the Palestinian side,

> Mr. Arafat had a dilemma: make some compromises, build on Mr. Barak's opening bid and try to get it closer to 100 percent—and regain the moral high ground that way—or provoke the Israelis into brutalizing Palestinians again, and regain the moral high ground that way. Mr. Arafat chose the latter. So instead of responding to Mr. Barak's peacemaking overture, he and his boys responded to Ariel Sharon's peace-destroying provocation. In short, the Palestinians could not deal with Barak, so they had to turn him into Sharon. And they did.[39]

It should also be noted that the Palestinians, with the support of their allies, notably Iran, employed the same approach at the World Conference against Racism (WCAR) 2001 which took place in Durban. There, they hijacked the agenda and prevented less organized groups with genuine grievances, such as the descendants of slaves who were brought involuntarily to the Western Hemisphere, from receiving a fair hearing.[40]

Using continuous incitement, combined with diplomacy, intimidation, and violence, the Palestinians have achieved considerable success, gaining recognition and propagating the belief that Israel did not deserve to exist. The essence of this initiative and the concrete steps toward its practical implementation may be found in the NGO Declaration of the Durban Conference.[41] At the same time, it should be noted, many Western policymakers prefer to believe that all men share Western values of decency and fair play, and to seek refuge in false analogies, avoid hard choices, and split the difference where possible. It is much easier for them. The threat of terror also may have intimidated them, along with outside pressure and personal inducements. A reasonable and "businesslike" approach may be suited for the West, where it is assumed that both sides share the same "core values." But what if they do not? The case of the Palestinian Authority and Hamas is such an exception because they maintain a political and religious culture committed to death and martyrdom and wiping out the infidel.

During the 1950s, Bernard Lewis observed that the concept of perpetual conflict was closely associated with certain religious and political belief systems. In his view, this was a cultural problem, and in an article which now would be considered politically incorrect, he observed that both Islam and Leninism shared the same "aggressive fanaticism."

> This supremely intolerant perspective may be found both in the Islamic and Leninist traditions which divide the world into opposing camps. According to Islam, the world is divided into *Dar al-Islam* [the House of Islam] and *Dar al-Harb* [the House of War]. In classical Islamic teaching, everything that is outside *Dar al-Islam* belongs to *Dar al-Harb*. Similarly, Lenin argued that a state of war would prevail until socialism achieved its ultimate victory over capitalism.[42] Bernard Lewis likened the two views: "The traditional Islamic division of the world into the House of Islam and the House of War, two necessarily opposed groups, of which the first has the collective obligation of perpetual struggle against the second, also has obvious parallels in the Communist view of world affairs. There again, the content of belief is utterly different, but the aggressive fanaticism of the believer is the same.[43]

THE NEED OF NONDEMOCRATIC REGIMES TO FOMENT INCITEMENT

Natan Sharansky and Ron Dermer distinguish between "fear societies" and democracies:

> Fear regimes use methods of coercion in order to stay in power. Incitement serves an important need for the non-democratic state whose society is governed by means of fear. One of the oldest and most effective is the creation of external enemies. Non-democratic leaders make use of external enemies, real and imagined, to retard the natural process of alienation and even at times reverse it. The pool of true believers is maintained and double-thinkers may occasionally be transformed back into loyalists.[44]

Within this perspective, "the external policies of the regime become an extension of the regime's constant effort to maintain internal stability."[45] Palestinian incitement against Israel, Israelis, and "the Jews," both domestically and abroad, fulfills this need. It would be a serious mistake to assume that incitement is limited by the geographical bounds of the Palestinian Authority. They export it wholesale.

Sharansky and Dermer noted that democracies do not engage in incitement, while totalitarian regimes use fear to manage their populations. It follows, therefore, that the form of government is a matter of critical importance. The correlation of the form of government and its policy goals has been known since antiquity.

According to Aristotle, the ancient Greek philosopher and founder of the field of political science (384-322 BCE), each type of government possesses an organization and structure in keeping with its purpose. This organization is its constitution.[46] It should be noted that, in its original meaning, a constitution need not be a written document. According to Aristotle, there is a clear relationship between the purpose of a constitution and the nature of the *politeia,* the city-state to which it belongs.[47] For example, under a democracy the people are sovereign, and in an oligarchy, the few. The ultimate purpose, or *telos*, of a democracy is to make the "good life" available to its citizens, affording them the opportunity to live a life of virtue or excellence, and this represents the link between politics and ethics.[48] To achieve its purpose, a democracy needs peace. For a democracy, war is necessary as the means of attaining goals compatible with the purpose of its form of government.[49] Thus, one makes war in order to achieve peace. War as an end in itself is considered unworthy.

In contrast, Aristotle wrote disapprovingly that, "In Sparta, for instance, and in Crete the system of education and most of the laws are framed with a general view to war."[50] In his view, the militaristic Spartans possessed a bad constitution and poor lawgivers.[51]

According to Aristotle, the system of education and the laws must conform with the nature of the constitution in order to assure its continuity:

> The greatest, however, of all the means we have mentioned for ensuring the stability of constitutions—but one which is nowadays generally neglected—is the education of citizens in the spirit of their constitution. There is no advantage in the best of laws, even when they are sanctioned by general civic consent, if the citizens themselves have not been attuned, by the force of habit and the influence of teaching, to the right constitutional temper—which will be the temper of democracy

where the laws are democratic, and where they are oligarchical will they be that of oligarchy. If an individual can lack self-control, so can a city.[52]

Following this logic, the form of government of the Palestinian Authority may be described as a type of oligarchy whose purpose is war against Israel.[53] Indeed, its educational system is consistent with this bellicose goal. Within this context one may understand the refusal of the Palestinian Authority to engage in "education for peace" and to prepare its public for the eventuality that a compromise solution with Israel will require giving up some of its long-held maximalist views. For the Palestinian Authority, a policy of incitement is more expedient.

The purpose of this regime, which Bernard Lewis once described as a "corrupt tyranny,"[54] is to wage a war, namely to destroy Israel, the Jewish state—no matter how long it takes. Its leaders consider deception and the "armed struggle" as the legitimate means by which they can achieve their goals and have adapted their educational system to fill the younger generation with hatred and the desire to perpetrate terrorist acts. The great constitutional differences between the state of Israel and the Palestinian Authority are reflected in their political structure and end-goals. This basic divergence represents a structural and existential incompatibility.

INCITEMENT AND CONTEMPORARY REALITY

Despite the fact that on December 14, 1998, Yasser Arafat staged a festive display in Gaza for the benefit of President Clinton, the Palestinian Authority neither annulled nor disavowed those articles of their fundamental law, the Palestinian Charter, which call for the destruction of Israel.[55] According to Sharansky and Dermer, "Arafat's speech declaring the change of the charter was as vague as possible, and the 'vote' was an orchestrated raising of hands that collapsed into applause for the 'Great Leader and Teacher.' The whole thing was a charade."[56] This explains why Palestinian leaders recently rejected out of hand recognition of Israel as the Jewish state.[57]

Researchers who have dealt with the history of the negotiations between Israel and the Palestinians have referred to issues such as the disposition of Jerusalem or the "right of return" for Palestinian refugees as the "deal-breaker."[58] With good will, these issues could find a solution. The problem of incitement, however, is of a much greater order. Because of the reality behind it, incitement is the real "deal-breaker." One side wants peace, while the other does not. That is the difference. It is not the type of misunderstanding which can be remedied by closing one's eyes, as President Shimon Peres once recommended.[59] The ultimate purpose of each people, each society, and their leadership are basically incompatible.

At present, the continuation of incitement indicates that essentially there is no real prospect of achieving a stable, long-term arrangement through the political process. Although it is fashionable from time to time to speak of the "window of opportunity," and to demand that only Israel seize the opportunity by making large, unreciprocated concessions, such exhortations reflect the impatience of the Western approach and its cultural weakness. This is a cultural and political misperception. If we may borrow from the language of Fernand Braudel, belief in the idea of a window of opportunity is just "a bet on the irreplaceable value of the present moment."[60] Such bets usually do not pay off, particularly if the other side is not terribly interested in locking in its gains but prefers to play for larger, long-term stakes.

THE LONG-TERM REMEDY

During the 1980s and well before the Oslo negotiations, some optimists anticipated that the new Palestinian Authority would become the first Arab democracy in the region to possess the institutions of modern, transparent self-government. In his monograph, *Ivory Towers on Sand,* Martin Kramer reported that the "Palestinian exception" was one of the paradigms prevailing in American academic circles.[61] The Palestinians "were believed to have a vibrant 'civil society,' both inside and outside Palestine. They had representative institutions, unions, and associations. Their leaders were accountable. Allow them self-rule, and the Palestinians would prove that the Arab world could sustain democracy."[62] Time has shown that this was an illusion. Sadly, however, the Israeli leadership of the time failed to grasp that it had an interest in advancing the cause of democracy under the new Palestinian Authority.[63]

An examination of the current state of affairs raises the question: what happened to the peace which the Oslo Accords were supposed to bring? The Palestinian Authority, which many hoped would be committed to democracy and become a good neighbor, has turned into a corrupt, authoritarian Middle Eastern regime which plunged its own population into war and has taken a high toll of innocent Israeli civilians. Through an understanding of the Palestinian Authority's structure, one may appreciate how far it has become incapable of building the type of peace which obtains between two healthy democracies, "the democratic peace."[64] This was considered to be the ideal goal of the "peace process," but now, no one even mentions it.

What should the remedy be? As we have demonstrated above, the problem of Palestinian incitement is rooted in the structure of the present Palestinian government and the way it views its purpose and strategic goal. Effective reform, therefore, must be the result of structural transformation. This means reconstituting political and social relationships, laws, and education along democratic lines in a manner which will conform to a change of purpose that embodies democracy and peaceful goals. This means changing a state's constitution, written and unwritten. As Samuel Huntington once stated, the issue is not about regime existence but regime change.[65]

The transitions to democracy which resulted from the Allied military interventions of the Second World War as well as the collapse of Soviet rule in Eastern Europe (the Third Wave) were cataclysmic, but numerous others have been peaceful. According to Huntington, from 1974 to 1990, thirty transitions to democracy took place in Europe, Asia, and Latin America.[66] Since then, this number has increased. As of 2001, Larry Diamond counted 121 democracies.[67]

If we wish to look twenty years ahead, we should look backward to ascertain what has remained constant. One thing is clear: Israel cannot settle the Arabs' grievance to their satisfaction without committing political suicide. As Yehoshafat Harkabi wrote in 1977, "The Arabs can present their case in simplistic slogans. At most they have to conceal their grievance, the redress of which in their version would be a matter of justice, as an *unlimited* grievance, which the opponent cannot redress to their liking and yet stay alive."[68] This is the constant.

The Palestinians derive considerable benefit from a policy of fomenting incitement, domestically and abroad, making political capital from a festering sore. Using this method over an extended time-frame, they have driven their maximalist demands to the top of the world's agenda. Likewise, by going through the motions of negotiating, creating crises and

impasses and bringing external pressure to bear on Israel, they have succeeded in pocketing valuable unreciprocated concessions. Unless they are stopped, the present leadership of the Palestinian Authority will continue to pursue an essentially criminal strategy of incitement, and with time, the stakes will grow higher.

The State of Israel has a real interest in the type of neighbor it has on its doorstep. While we must remember that "more tears are shed over *answered prayers* than unanswered ones," regime change in the Palestinian Authority may be the optimal solution. It would certainly be the basic first step in assuring "the good life" and the benefits of peace to both peoples and to the region.

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ENDNOTES

*   This chapter is a revised and fuller version of the article, "Palestinian Incitement: The Real 'Deal-Breaker,'" which first appeared in the *Israel Journal of Foreign Affairs* 5, 1 (2011): 41-57, http://israelcfr.com/documents/5-1/5-1-3-JoelFishman.pdf.

1   R. F. Stalley, "Introduction," Aristotle, *Politics*, ed. R. F. Stalley, trans. Ernest Barker (New York: Oxford University Press, 1998), xi.

2   For a compendium of examples of recent Palestinian incitement, see: Itamar Marcus and Nan Jacques Zilberdik, *Deception: Betraying the Peace Process; Palestinian Authority non-recognition of Israel, hate incitement and promotion of violence during the 2010 peace talks and through 2011* (Jerusalem: PMW, 2012). See also the website for Palestinian Media Watch: http://www.palwatch.org/.

3   This is the term of Prof. Robert Wistrich who wrote extensively about official Palestinian incitement in the chapter of his book, "The 'Liberation' of Palestine,"*A Lethal Obsession* (New York: Random House, 2010), 684-730. For additional background information on the subject, see: Dore Gold, "Where Is the Issue of Education for Peace in the Olmert-Abbas Initiative?," Jerusalem Center for Public Affairs, September 25, 2007; ibid., Gold, "Why Incitement Is Ignored," August 22, 2010; Justus Reid Weiner and Noam Wasserman, "Hamas' Determination to Perpetuate the Israeli Palestinian Conflict: The Critical Role of Hate Indoctrination," *Jerusalem Viewpoints*, no. 545, August 1, 2006.

4   See, for example, Prime Minister's Media Adviser, "PM Netanyahu's Remarks at the Start of the Weekly Cabinet Meeting," Sunday, January 10, 2010. On this occasion, the prime minister spoke clearly: "…incitement continues in the Palestinian media and education system; in its official media outlets and in the schools under its supervision. These serious actions represent a harsh violation of the Palestinians' international obligation to prevent incitement. I say to the Chairman of the Palestinian Authority: Stop the incitement. This is not how peace is made. Peace is made by educating towards reconciliation, by encouraging good neighborly relations and by developing mutual respect. Therefore, the cessation of

Palestinian incitement is a necessary condition, not for entering into discussions, but so that we may complete them in a way that will bring about genuine peace between our two peoples." `

5   Natan Sharansky with Ron Dermer, *The Case for Democracy: The Power of Freedom to Overcome Tyranny and Terror* (New York: Public Affairs, 2004), 172-173. According to Yossef Bodansky, who served as director of the Congressional Task Force on Terrorism and Unconventional Warfare from 1988 to 2004, the policy of the Clinton administration was not to hold Arafat accountable for terror and incitement. This resulted in exacerbating the conflict, which ultimately produced a security threat to the United States. See: Yossef Bodansky, *The High Cost of Peace: How Washington's Middle East Policy Left America Vulnerable to Terrorism* (Roseville, CA: Prima, 2002).

6   Dennis Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, Straus & Giroux, 2004), 769, as cited by Gold, "Why Incitement Is Ignored," `August 22, 2010.

7   Yehoshafat Harkabi, "Arab Positions on Zionism," in Shmuel Almog, ed., *Zionism and the Arabs* (Jerusalem: Zalman Shazar Center, 1983), 191.

8   Jeffrey Herf, "The 'Jewish War': Goebbels and the Antisemitic Campaigns of the Nazi Propaganda Ministry," *Holocaust and Genocide Studies* 19, 1 (Spring 2005): 54. See also: Herf, *The Jewish Enemy: Nazi Propaganda during World War II and the Holocaust* (Cambridge: Harvard Universdity Press, 2006) and *Nazi Propaganda for the Arab World* (New Haven: Yale University Press, 2009).

9   Hannah Arendt, *The Origins of Totalitarianism* (New York: Meridian Books, 1958), 343.

10   Ibid., 378.

11   "Jewish War," 54.

12   *The Jewish Enemy,* 273, 274. For general and historical background, see: "Incitement to Genocide in International Law," *Holocaust Encyclopedia,* United States Holocaust Memorial Museum, http://www. ushmm.org/wlc/en/article.php?ModuleId=10007839.

13   "Bystanders to Genocide," *Atlantic Monthly,* September 2001, http://www.theatlantic.com/magazine/ archive/2001/09/bystanders-to-genocide/4571/.

14   "Incitement," Robert Cryer, *The Encyclopedia of Genocide and Crimes against Humanity* ed. Dinah Shelton (Detroit: Macmillan Reference USA, 2005) 2: 493-500; Convention on the Prevention and Punishment of the Crime of Genocide, Adopted by Resolution 260 (III) A of the U.N. General Assembly on 9 December 1948, Article III, item c, "Direct and public incitement to commit genocide." http://www.un-documents. net/cppcg.htm.

15   http://www.genocidewatch.org/genocide/8stagesofgenocide.html.

16   Gregory H. Stanton, "The 8 Stages of Genocide," http://www.genocidewatch.org/ aboutgenocide/8stagesofgenocide.html. The author thanks Prof. Dr. Johannes Houwink Ten Cate, chairman of the Center for Holocaust and Genocide Studies, in Amsterdam for this reference.

17   Ehud Sprinzak, "Anti-Zionism: From Delegitimization to Dehumanization," *Forum on the Jewish People, Zionism and Israel* 53 (May 1984): 2.

18   Ibid., 2-3.

19   See Joel Fishman, "The Relegitimization of Israel and the Battle for the Mainstream Consensus,"*Israel Journal of Foreign Affairs* 6, 2 (2012): 9-20, http://israelcfr.com/documents/6-2/6-2-2-JoelFishman.pdf.

20   Anthony Julius, *Trials of the Diaspora: A History of Anti-Semitism in England* (Oxford: Oxford University Press, 2010), 483-531.

21   Michael Ghnassia and Pascal Markowicz, *Le Boycott d'Israel: Que dit le droit?* (Paris: CRIF, 2011), 23.

22   Vladimir I. Lenin, "War and Revolution," in Harriet Fast Scott and William F. Scott, eds., *The Soviet Art of War* (Boulder, CO: Westview, 1982), 25.

23   *Mao Tse-Tung on Guerrilla Warfare,* trans. and intro. Samuel B. Griffith (New York: Praeger, 1961), 21-22. See also: Robert Strausz-Hupé, *Protracted Conflict* (New York: Harper, 1963). "In the eyes of Arafat and his cronies the Oslo peace process was really never about genuinely resolving the conflict or improving the lives of ordinary Palestinians but far more about ways to ultimately substitute Palestine for Israel." Wistrich, *Lethal Obsession*, 729-730.

24 Robert Thompson, *Revolutionary War in World Strategy, 1945-1969* (London: Secker & Warburg, 1970), 12.

25 John W. Wheeler-Bennett, *Brest-Litovsk: The Forgotten Peace, March 1918* (New York: Norton, 1971).

26 Frenand Braudel, "History and the Social Sciences: The *Longue Durée,*" in Sarah Matthews, ed., *On History* (Chicago: University of Chicago Press, 1980), 27.

27 Ibid., 28.

28 Ibid., 26.

29 Ibid., 29.

30 *Selected Works of Mao Tse-Tung* (Peking: Foreign Languages Press, 1967) 2: 81.

31 Abu Iyad [Salah Khalaf] with Eric Rouleau, *My Home, My Land,* trans. Linda Butler Koseoglu (New York: Times Books, 1978), 69.

32 *El Mundo* (Caracas), February 11, 1980 as cited by Wistrich, *Lethal Obsession*, 703 (and 1080, n. 58).

33 Thomas L. Friedman, *From Beirut to Jerusalem* (New York: Doubleday, 1990), 120.

34 Ibid., *Playboy* interview, as quoted by Friedman, 179.

35 http://memri.org/bin/articles.cgi?Page=archives&Area=sd&ID=SP23601, 'Al-Arabi' (Egypt), June 24, 2001.

36 Interview of Feisal Husseini by Maya Rosenfeld, "The Real Leadership Is That Which Stands behind the Political Posters: Feisal Husseini in the Relations with the Left and with Peace Now" (in Hebrew), *Etgar* (1990): 9-11.

37 Friedman, *From Beirut to Jerusalem*, 107-108.

38 Ibid., 447.

39 Thomas L. Friedman, "Foreign Affairs; Arafat's War," October 13, 2000, http://www.nytimes.com/2000/10/13/opinion/foreign-affairs-arafat-s-war.html.

40 See Tom Lantos, "The Durban Debacle: An Insider's View of the World Racism Conference at Durban," *Fletcher Forum of World Affairs* (2002) 26: 1.

41 http://www.eyeontheun.org/assets/attachments/documents/durban_ngo_declaration_2001.pdf.

42 Vladimir I. Lenin, "War and Revolution," *Soviet Art of War,* 25: "….This writer [Clausewitz] whose basic views are now undoubtedly familiar to every thinking person, nearly eighty years ago challenged the ignorant man-in-the street conception of war as being a thing apart from the policies of the government and classes concerned, as being a simple attack that disturbs the peace, and is then followed by the restoration of the peace thus disturbed…."

43 Bernard Lewis, "Communism and Islam," *International Affairs* (Royal Institute of International Affairs) 30, 1 (January 1954): 9-10. (The author thanks Mr. Ralph Amelan, research librarian of the American Cultural Center, Jerusalem, for this text.) The understanding here is that the Abode of Islam will be permanently at war with the Abode of War until it is absorbed. Recently, an innovation has been added, the *dar al-da'wa*, the regions of the world where Islam is preached. *Dawa* is the invitation to the nations to accept Islam. Shammai Fishman, "Fiqh al-Aqalliyyat: A Legal Theory for Muslim Minorities," Hudson Institute, *Research Monographs on the Muslim World*, Series no. 1, Paper no. 2 (October 2006).

44 Sharansky and Dermer, *Case for Democracy*, 82-83.

45 Ibid., 87.

46 Aristotle, *Politics*, ed. R. F. Stalley, trans. Ernest Barker (Oxford/New York: Oxford University Press, 1998), xi and ibid., III, 6, 1278b6, 97.

47 Stalley, "Introduction," ibid., xi, "Everything which exists by nature exists for an end and one cannot grasp its nature without understanding that end."

48 Ibid., xxxv.

49 Ibid, 255-256 and Aristotle 1333b39.

50 Ibid., 255.

51 Ibid., 73.

52 Ibid., 1310a12, 208.

53 Robert C. Tucker described the type of governance of a regime based on the ideology of liberation movement as "a revolutionary mass-movement regime under single party auspices." *The Soviet Political Mind: Stalinism and Post-Stalin Change* (New York: Norton 1972), 7.

54 During the question-and-answer session at the conclusion of a lecture in Tel Aviv (January 31, 2001), Prof. Bernard Lewis commented on Natan Sharansky's interpretation, that there cannot be peace until the Palestinian Authority becomes a democracy. He replied, "They [the Palestinians] will not have a democracy like Sweden. As long as they have a corrupt tyranny, there will be no peace."

55 See, for example, Articles 15, 19, 20, 22 in Yehoshafat Harkabi, *The Palestinian Covenant and Its Meaning* (London: Valentine Mitchell, 1979), *passim*.

56 Sharansky and Dermer, *Case for Democracy*, 176 and http://www.israelnationalnews.com/News/News.aspx/140224.

57 See Wistrich, *Lethal Obsession*, 724-726.

58 Ofira Seliktar, *Doomed to Failure? The Politics and Intelligence of the Oslo Peace Process* (Santa Barbara/Oxford: Praeger, 2009), 156.

59 "Peace is a bit like marriage. You have to close your eyes and accept what is possible to accept." Address to the meeting of the General Assembly of the United Jewish Communities of North America, Jerusalem, December 2008.

60 Braudel, "History and the Social Sciences: The *Longue Durée*," 36.

61 Washington, DC: Washington Institute for Near East Policy, 2001.

62 Ibid., 70.

63 It is clear in retrospect that the late Prime Minister Yitzhak Rabin seriously misjudged the situation when he declared "Once a local Palestinian council is established, '(that body) will be responsible for the Palestinians' internal problems, and it will deal with them as they need to be dealt with, without the hassle of the High Court of Justice, interference by B'tselem, and all kinds of left-wing bleeding hearts and organizations of mothers and fathers. As for security problems, we'll take care of that.'" *Jerusalem Post*, September 3, 1993. The author thanks Ralph Amelan for this source. See also: Natan Sharansky "From Helsinki to Oslo," *Journal of International Security Affairs* (*JINSA*), no. 1 (Summer 2001): 29.

64 See Joel Fishman, "The Broken Promise of the Democratic Peace: Israel and the Palestinian Authority," Jerusalem Center for Public Affairs, *Jerusalem Viewpoints,* no. 477, May 1, 2002, http://www.jcpa.org/jl/vp477.htm.

65 *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), 34.

66 Ibid., 21.

67 Larry Diamond cited in USAID, "Global Trends in Democracy," http://www.usaid.gov/fani/ch01/globaltrends.htm.

68 Yehoshafat Harkabi, *Arab Strategies and Israel's Response* (New York: Free Press, 1977), 101.

ANTI-JEWISH SENTIMENTS AND STEREOTYPES IN ARAB AND MUSLIM SCHOOLBOOKS

Yohanan Manor

Research devoted to Arab and Muslim school textbooks is scarce. We have found two studies on the image of Christianity in the schoolbooks of six Arab countries (Algeria, Egypt, Jordan, Lebanon, Palestine, and Syria) and of two Muslim ones (Iran and Turkey),[1] two other studies on human rights and gender in Syria, Morocco, and Tunisia,[2] and one study on the religious intolerance of Saudi Arabia's curriculum.[3]

One could add to this list some of the contributions at a conference that was held on the subject of "The National Self and 'The Other' in the Schoolbooks of the Greater Middle East," namely those on Egypt, Iraq, Iran, Jordan, Lebanon, Morocco, Palestine, Saudi Arabia, Syria, Tunisia, and Turkey.[4] The provisional program of a "Symposium on European Muslims' Perceptions of the Holocaust"[5] mentioned contributions that could be relevant to this article but were not yet available.

Hence all the available research deals with specifics such as Christianity, human rights, gender, religious intolerance, national identity and the "other," but not explicitly with anti-Jewish sentiments and stereotypes. Relevant material was found in some of the works, notably in a 2006 Freedom House research paper on Saudi Arabia and in its 2008 and 2011 updates, by the Hudson Institute and by Ali al-Ahmed, director of the Institute of Gulf Affairs.[6]

Consequently, this article is based chiefly on reports issued by IMPACT-SE[7] on Egypt, Hamas, Iran, Jordan, the Palestinian Authority, Saudi Arabia, Syria, and Tunisia,[8] as these were the only ones that focused specifically on the issue in question. Although IMPACT-SE has not yet issued a report on Jordan, this country has been included in this list because several of the reports on the PA did actually survey Jordanian schoolbooks.[9]

The analysis of the schoolbooks issued by Egypt, Iran, Jordan, Saudi Arabia, Syria, Tunisia, and the PA, as well as of the content of the website for youth operated by Hamas, leads to three major observations regarding how Jews are portrayed in the schoolbooks of these countries.

First, Jews are almost never portrayed as human beings. Second, Jews are almost exclusively presented as a wicked and loathsome group. Third, Jews are presented as targets to be fought, disposed of, and eliminated.

JEWS ARE HARDLY EVER PORTRAYED AS HUMAN BEINGS

Jews are never portrayed as individuals and as human beings, but always as a group characterized by definite, indelible, "quasi-genetic" traits and behavior that have never changed.

Arab and Muslim schoolbooks do not differentiate between contemporary designations of Jews, be they Ashkenazim, Sephardim, Zionists, anti-Zionists, Israelis, or others. They are all referred to invariably as "Jews."

These books never differentiate between present-day Jews and Jews of the past. They are all represented as being identical to the Jews of Medina (Yathrib) at the time of Muhammad, which constitutes a kind of ultimate and universal reference. They are characterized as having the same traits. For instance, a Jordanian schoolbook on the study of the Koran points to "the Jews' deep-rooted nature, which does not change,"[10] and an Egyptian schoolbook on Islamic education asserts that "the Jews of the past are [the same as the] Jews of today and of the future. [They are] all the same."[11]

Hardly ever are Jews portrayed as human beings deserving at least the minimum consideration and respect due to a member of the human family, but rather as "the most despicable of God's creatures,"[12] "the lowest of the human race,"[13] and even as "the enemies of mankind"[14] as expressed in the most blatant and blunt way in *Al Fateh*, the Hamas online children and youth magazine.

A more "mellow" way to degrade Jews while ostensibly maintaining their place within the human family is to label them "human wild beasts." One of the schoolbooks issued in 2002 by the PA said of the Jewish settlers: "There is nothing crueler than the wild beasts of the jungle, except human wild beasts."[15] This sentence was deleted in a recent re-edition of this book.

The very few exceptions to this trend of not incorporating the Jews into the human family were found in two Tunisian schoolbooks and also in a Palestinian schoolbook.

A Tunisian anthology included excerpts of two poems devoted by the Palestinian poet Mahmoud Darwish to Rita, an Israeli woman with whom he had a love relationship. The editors pointed to the dilemma of having love relations with a member of the enemy, suggesting that Israelis are also human beings liable to be loved.[16]

Another Tunisian schoolbook included the following well-known hadith (a saying by the Prophet Muhammad): "A funeral procession went by and the Prophet stood up and we stood up. We said: 'O Messenger of God, this is a Jew's funeral.' He said: 'Is it not a [human] soul? Whenever you see a funeral procession, stand up.'"[17]

This hadith was mentioned in a Palestinian schoolbook:

> The Prophet stood up one day in salutation and out of respect when a funeral passed in front of him and the Muslims [around him] stood up as well. It was [then] said to him that it was a Jew's funeral and he said: 'Is it not a [human] soul?'… Tolerance toward the People of the Book which was urged by the Holy Koran and ordered by our Messenger has become a reality and an applied practice in Muslim society since the time of the [Prophet's] companions to our present time.[18]

JEWS ARE ALMOST SOLELY DESCRIBED AS A WICKED AND LOATHSOME GROUP

Contrary to the above, Jews are presented in Arab and Muslim school textbooks as a wicked group possessing loathsome traits. Loathsomeness is expressed by resorting to a long list of abusive attributes and name calling.

The following are notable among the abusive attributes: bribe takers; treaty breakers; robbers; thieves; racists; fanatics; corrupted and corrupting; greedy; crooked; sly; stubborn; resorting to cunning, distortion, fraud, deception, slander, and trickery; immersing peoples in vices; heartless; inhumane; hating other peoples; evil; and wicked,

Among the name calling one can find: flies, locusts, wild animals, wolves, snakes, apes, and pigs.

Illustrations of such abusive attributes and name calling are given in the Appendix according to countries.

Sometimes these abusive attributes and names given are somehow "put in perspective" and voiced in the context of a set of assertions based on and deducted from a twisted interpretation of the notion of Chosen People. According to this twisted interpretation, the Jews, by viewing themselves as "God's Chosen People," think they are the cream of the nations, feel superior to others, and display hostility and disdain for the other nations, since the souls of the children of Israel are "part of God while other souls are satanic and resemble animals' souls."[19] Therefore, Jews consider that "the world is the property of the Israelite," and that it is "his right to take over and have control over the world, because he, out of all human beings, is the Chosen People in the eyes of God."[20]

According to this view, the Jews stir up seditions and conspiracies. Among these are: their intrigue to divide the Muslims at the time of Muhammad, the French Revolution, the First World War, the overthrow of the Ottoman Islamic caliphate, and the Russian Bolshevik Revolution! Another assertion is that one of the goals of Zionism is "having the world dominated by the Jews." The basis of that assertion is the establishment of their government in the Promised Land, which stretches from "the Nile River to the Euphrates."[21] *The Protocols of the Elders of Zion* is used to claim that the Jewish goal is to upset world society and enable "Zionism to have a monopoly on world government." The purported intrigues and conspiracies are "cogent proof of the authenticity of these resolutions and of the hellish Jewish schemes included therein...."[22]

With such conspiratorial views about the Jews, no wonder they are often enthroned in Arab and Muslim schoolbooks as "the enemy of God," "the enemy of the Prophets," "the enemy of Islam," "the enemy of the believers [the Muslims]"; in other words, as the arch-archenemy, the embodiment of wickedness in its very essence.

Tunisia is still an exception. One should even say the only exception, since it is the only one that has not used abusive attributes and name calling in its school textbooks when referring to the Jews.

JEWS ARE TO BE FOUGHT, DISPOSED OF, AND ELIMINATED

Out of the six countries and two entities whose school textbooks and comparable educational tools have been reviewed here, four of them, Saudi Arabia, Syria, Iran, and Hamas, do not content themselves with dehumanizing, demonizing, and criminalizing the Jews. In addition, they teach their children that Jews should be fought, disposed of, and eliminated.

A Saudi schoolbook proclaims outright that the Jews' fate is perdition: "Now it [Palestine] is occupied by the Jews, a people of treachery and betrayal, who have gathered there from every place—from Poland, Spain, America and elsewhere. Their end, by God's will, is perdition."[23] Another textbook, quoting a famous hadith, prompts the Muslims to kill all the Jews:

> It is told by Abu Hurayrah that God's Messenger said: "The Day of Judgment will not arrive until the Muslims fight the Jews and the Muslims will kill them. Even if a Jew hides behind a rock or a tree, the rock or the tree will say: 'O Muslim, O worshipper of God! There is a Jew behind me. Come and kill him,' except the salt bush [*gharqad*], for it is one of the Jews' trees."[24]

A Syrian schoolbook calls explicitly for the Jews' elimination (*isti'sal*):

> You have already learned of the attitude of the Jews who plotted to kill, loot, and exterminate the Muslims [in the time of the Prophet].... Those are the characteristics of traitors and deceivers in any time and place. They make use of tolerance and gentleness as a hotbed and a loophole for their crimes and sins. If this points to anything, it points to the hostile, evil tendency that is rooted in the Jewish personality. That, in turn, confirms that coexistence with them, or having them as neighbors, is an enormous danger that threatens Islamic and Arabic existence with destruction and extinction. Therefore, the logic of genuine justice decrees against them one verdict, the carrying out of which is unavoidable. Their criminal intention should be turned against them by the way of their elimination.[25]

Iranian schoolbooks may appear more subtle and less blunt, but the objective is clearly to get rid of the Jews. The picture-story below titled "The Contaminator" appeared in a third-grade schoolbook. [26] It shows a clean and tidy town where the inhabitants suddenly discover a trail of garbage. They trace the contaminator who turns out to be a disgusting creature spreading garbage wherever he goes. They chase him away and clean up after him. In one of the pictures, the Star of David appears as part of the garbage. In two other pictures, the Star of David is drawn on the creature's right arm. The message conveyed is crystal clear: Jews and/or Israel are garbage and it should be removed.
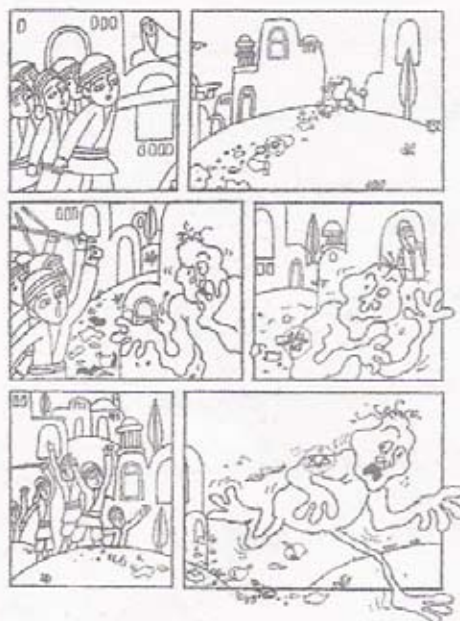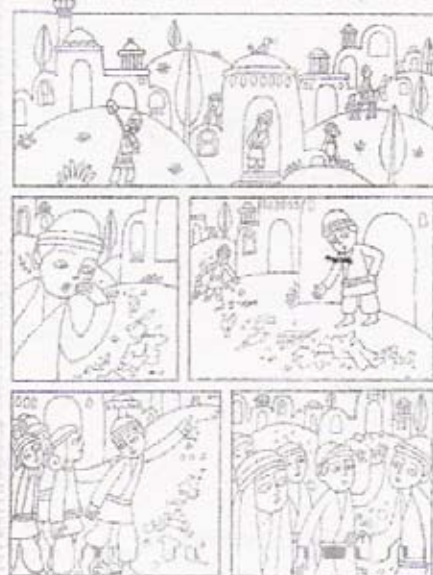
Lesson 6: The Contaminator

Would you like to narrate the story?

درس ۶   کلودک

دوست داری داستان را تعریف کنی؟

Gifts of Heaven — Workbook, Grade 3 (2004), pp. 13-15

Not surprisingly *Al Fateh,* Hamas's website for children and youth, is reminiscent of Saudi schoolbooks linking the Day of Judgment to the killing of the Jews. It recalls the same hadith about a Jew trying to hide behind a rock or a tree.[27] To this *Al Fateh* adds an innovation of its own: that the Jews' trickery will continue until the Day of Judgment and that "the Jew will have no security, no matter how much he pretends to be innocent and pure, except those ones whom my Lord will have mercy on."[28] In more practical terms: "You will be in the ranks in the near future, the future in which we cleanse our holy land of the impurity of the Jews."[29]

CONCLUSIONS

The findings presented here lead to three conclusions.

First, Saudi Arabia, Syria, Iran, and Hamas seem clearly in breach of the UN Convention on the Prevention and Punishment of the Crime of Genocide. All of them are committing a punishable act according to this convention, namely, "direct and public incitement to commit genocide" (Art. 3[c]). The convention defines genocide as "...acts committed with the intent to destroy, in whole or part, a national, ethnic, racial or religious group...." (Art. 2). Saudi Arabia, Syria, and Iran being contracting parties to this convention, Israel, also a contracting party, could and should according to Article 8 call upon the competent UN organs to take such action "as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article 3."

Second, it is time to consider an international initiative to bring about a revision of Article 2 by adding a subarticle (f) on "Dehumanizing and criminalizing a group."

Third, Article 1 of the Draft International Convention for the Prevention of Incitement to Terror should be expanded to include under subarticle 4 a new paragraph referring to incitement to violence through the education system, namely, through school curricula, schoolbooks, and teachers guides.

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APPENDIX

Excerpts from Egyptian, Saudi, Syrian, Iranian, Jordanian, and Palestinian schoolbooks and from Al Fateh, Hamas's Website on Jews' Wickedness and Loathsomeness

Excerpts from Egyptian schoolbooks

"The description of the Jews in the Koran is an eternal miracle, since it described them by the traits to which they have adhered throughout all their generations, such as stubbornness, material greed, slander, hypocrisies, plotting against Islam and the Muslims."[30]

"The expulsion of the tribe of QAYNUQA

What do we learn in this lesson?

Jews are a people of betrayal and treachery"[31]

"The War against Khaybar…

Thus the Messenger of God eliminated the Jews' wickedness in the Arab land"[32]

"At the end of the unit the pupil must be able to: Recognize the status of Sinai in the hearts of the Egyptians

…Know the character of the Jews

…Draw an analogy between the contemporary ways of Jews and those in the past…

We learn from this that the Jews do not keep their treaties, as they had betrayed Allah and his Prophet before, thus Allah took vengeance upon them. This is how they are all the time.

Ask your students to use the computer to gather the Koran's verses that deal with the treachery of the Jews."[33]

Excerpts from Saudi schoolbooks

"There was a dispute between one of the hypocrites and one of the Jews, and the Jew said:

'Let us take Muhammad as an arbitrator between us,' having known him as one who does not take bribes. The hypocrite said: 'Let us take the Jews as arbitrators, having known them as bribe takers.'"[34]

"The Jews' deception, slyness, and crookedness [was shown] when they used to greet the Prophet by saying 'Poison be upon you' [*al sam alayka*] as if they were saying 'Peace be upon you' [*al salam alyaka*]."[35]

"The Jews are wickedness in its very essence."[36]

"How ugly Israel is! Its weapon is betrayal and all its men are the same."[37]

"1. The Jews are God's chosen people. The souls of the Children of Israel are part of God, while others' souls are satanic and resemble animals' souls.

  2. This world is the property of the Israelite. It is his right to take over and have control over the world, because he, out of all human beings, is the chosen people in the eyes of God...."[38]

"There are secret resolutions.... The Jews tried to deny them, but there was ample evidence proving their authenticity and that they were issued by the elders of Zion. The protocols can be summarized in the following points:

1. Upsetting the foundations of present world society and its systems, in order to enable Zionism to have a monopoly on world government.

2. Eliminating nationalities and religions, especially Christian nations.

3. Striving to increase the corruption of the present regimes in Europe, as Zionism believes in their corruption and collapse.

4. Controlling the media of publication, propaganda, and the press and using gold to stir up disturbances, seducing people by means of lust and by spreading wantonness."[39]

"1. Stirring up sedition and conspiracies throughout history. Examples:

When the Messenger immigrated to Medina, he made an agreement with the Jews there, but it did not take long before they denied this agreement and started to intrigue in order to divide the Muslims.

...

The French Revolution: The Jews exploited the French Revolution for attacking religions, striking at values, and circulating hollow slogans. They had a role in its schemes and moral constitution.

The First World War: The Jews had a role in kindling its blaze.

The overthrow of the Ottoman Islamic Caliphate: the role of the Sabbatian Jews in this is well known.

The Russian Bolshevik Revolution against Czarist rule: it is well known that the roots of Marxist ideology are Jewish. Karl Marx was a Jew.... You will hardly find a sedition in which the Jews did not have a part.

2. Attempting to immerse the peoples in vices, and spreading prostitution....

5. Fraud, bribery, stealing, and trickery"[40]

"The Jews' greedy ambitions do not stop at the borders of military control. Rather they go beyond that to other types of control such as [in the spheres of] economy, the media, and morals. I will talk about this issue, warning against those greedy ambitions...."[41]

"The Jews are a people who became naturally disposed to treachery and betrayal over the ages. They do not abide by a treaty or conscience...."[42]

"Lessons of the Story [about the Children of Israel and Moses]

2. Belief does not penetrate deeply in the Jews' souls and they are ready to retreat to unbelief.

3. Materialism controls the Jews' life and they take usury. They have distorted the Torah in order to gain earthy profits.

4. The Jews covet life, even a humiliating one, and they are not prepared to fight.

5. The Jews are deluded and think of themselves as superior to others. They [falsely] claim that they are God's chosen people, though God has described them as liars, imposed on them humiliation and misery, misguided them, and transformed them into monkeys and pigs.

6. The Torah of the Jews today is distorted."[43]

Excerpts from Syrian schoolbooks

"The Prophet knew about the treacherous intentions harbored in the Jews' souls."[44]

"Why did the Jews incite the [pagan] tribes to invade Medina?... Compare the position of the Jews toward the Prophet then with the present position of the Zionists toward the Arab nation."[45]

"The Prophet felt that the time had come for punishing the Jews for their position that was full of deception and conspiracy."[46]

"During World War II Nazism persecuted millions of human beings in Europe and elsewhere and part of this persecution affected the Jews for the following reasons:

Because of the nonmingling with the nations and the societies where they lived

Because of the control and monopoly over currency exchange, banks, and commercial financing

[Because of] their treason toward their homeland, Germany, as they had put themselves in the services of the Allies"[47]

"They [the Jews] are pushed by their racism to claim that they are the cream of creation and the favorites of God."[48]

"The Jews spare no effort in deceiving us, being hostile toward us, denying our noble Prophet, inciting against us, and distorting the Divine Books.... The Jews collaborate with pagans and atheists against the Muslims because they see that Islam unveils their cunning ways and evil nature."[49]

"The congruence of ethnic and religious racism reveals a reactionary notion condemned by humanity because it ranks the Jews higher than the other peoples and involves hostility and disdain toward the nations."[50]

Excerpts from Iranian schoolbooks

"2.The Jews imagined themselves to be God's chosen people, and expected the appearance of a prophet from among their own people. They believed that they enjoyed special privileges before God, and that, except for a few, they would not be punished. After some of the Jews such as Mukhayraq and Abdullah bin Salam converted to Islam, they had a greater sense of danger."[51].

"The hypocrites were a group who presented themselves outwardly as Muslims but secretly cherished unbelief.... In the beginning of the battle of Uhud, they left the army, established secret ties with the Jews, and took part in their conspiracies."[52]

"Year 7 of the Hijrah: the conquest of Khaybar: suppression of the treaty-breaking Jews"[53]

"It is possible that individuals, who are influenced by the culture of another country, would turn into a 'minority' in their own society, and pressure their own government in various ways to go along with the goals of the other country, and make the government follow these goals. An example of that is the 'Zionist idea,' which is based on the establishment of the Jews' greater homeland and on this ethnic group's dominance over the world...."[54]

"Like an earthquake, the events of 1967 opened eyes to a new reality, which is that the Zionists covet all of the Arab lands. In the wake of these events, the nature of the West's news organizations, which are mostly in the hands of the Zionist journalists and reporters, was revealed to the Arabs."[55]

"Al-Aqsa is occupied today by the enemies of Islam. They do not allow the Muslims to pray and worship comfortably in this mosque."[56]

"Israel does not want the Koran to be in this state [Iran]. Israel does not want the Muslim clergymen to be in this state. Israel does not want the Islamic law to be in this state. Israel does not want scholars to be in this state. Israel pounded the Feyziyeh [religious] College with the hands of its black agents. It pounds us. It pounds you, the nation. It wants to take possession of your economy. It wants to eliminate your commerce and agriculture. It wants to take possession of your wealth. Israel wants these things that are an obstacle to it,...that are a barrier in its way, to be removed by the hands of its agents."[57]

"God willing, the day will come when all the Muslims will be united, liberate Palestine, and save Jerusalem from the hands of the enemy of Islam."[58]

Excerpts from Palestinian and Jordanian schoolbooks

"The noble Koran's verses also tell that the Jews distorted the word of Sublime God and changed [things] in the Torah, which He had revealed to them. They interpreted its meanings in accordance with what they want and desire, so that it would suit their whims and answer their wishes. By that they have deviated from Sublime God's religion. The verses tell that the result of this distortion has been the denial of Muhammad's prophethood, whose mention had appeared in the book of the Torah and Moses, peace upon him, had ordered his people to follow and obey him."[59]

"Since the Children of Israel did not adhere to God's order to do right...and their mischief continued in murder, violation of God's prohibitions, and disobedience of Him, God sent upon them for the second time someone who entered upon them in Jerusalem, humiliated them, made the impact of misfortune, distress, and humiliation apparent on their faces.... God says, addressing the Children of Israel in spite of their mischief: God may have compassion for

you and forgive you if you repent and return to God and to His obedience. The verse confirms an eternal social norm, namely, whenever the Children of Israel return to making mischief on earth God punishes them by giving power over them to someone who will cause them painful suffering in punishment for their mischief.

…

- How should I perceive the future of our land Palestine in light of my study of the preceding verses?"[60]

"6. The Chaldean…civilization which was ruled by Nebuchadnezzar who put an end to the Hebrews' occupation of Jerusalem."[61]

"…it is the Jews' deep-rooted nature, which does not change: they violate treaties, oppose the truth, accuse the prophets of lying, and disbelieve what Sublime God revealed to His prophets and messengers. That was the Jews' attitude toward Jesus—peace upon him—to the point that they plotted to kill him, and that was their attitude toward Muhammad…. What the verses [5:12-14] guide to…caution and awareness [are needed] in dealing with the Jews for fear of [their] treachery and betrayal."[62]

"What the verses [5:20-26] guide to…caution against the Jews' trickery and deception, for they are enemies of Sublime God, of His religion and of the Believers"[63]

"The Messenger [Muhammad] ordered Zayd Bin Thabet to learn the Jews' language in order to be safe from their trickery."[64]

"In this way Medina got rid of the last den of treachery and corruption."[65]

"Khaybar is located north of Medina, at a distance of one hundred and sixty kilometers. It had castles and fortresses, fields and date palms. It was inhabited by some of the Jews who had been expelled from Medina. It was the largest concentration [of the Jews] in the Arabian Peninsula.

…

When the Prophet and his companions went to Mecca to perform the pilgrimage, Khaybar's leaders seized the opportunity and started inciting the Arab tribes to attack Medina, because it was empty of soldiers and men. The Prophet therefore decided to fight them and break their power, so that the Muslims would rid themselves of their harm and trickery."[66]

"The noble verses then portray the Jews with ugly characteristics of which the believers should be cautious and from which the pious worshipers of God should keep away.

Among these characteristics:

…They listen a great deal to lies, and desire that.

…They strive to convey information about the Muslims to their enemies.

…They often enrich themselves with forbidden money with no heed of the fate awaiting them.

…They alter and change God's verses and laws according to their desires and whims.

…They have been put to trial, which is the trial of torment in this world at the hands of the believers and the torment of the other world on the Day of Resurrection.

…They reject [divine] guidance, which would purify their heart, because they do not believe in the mission of Islam and do not accept Sublime God's religion."[67]

"The noble verses show that the Jews reached a point of describing God as miserly and poor. They expressed this notion in a way proving [their] moral digression and boldness of [uttering] falsehood, which confirms their corrupted belief and stray thought. Sublime God brings back to them what they said and curses them…. He curses them with how they described Him…. For this reason, the Jews have been known among the people as being greedy, avaricious, cowardly, weak, envious, and humiliated. If you penetrated into the depths of their souls you would find out that hostility, hatred, and desire for corruption and for making others corrupted gnaw on their society and divide their ranks….

…The noble verses explain that it was envy that blinded the Jewish groups. They envied God's Messenger and denied him the position to which Sublime God has selected him. They wanted the concluding messenger to come from their own ranks…. Therefore, their oppression increased and their unbelief became greater. They did not find before them [any means] except the means of creating corruption in the land, stirring up dissension, and igniting wars among the nations….

What the Verses [5: 64-66] Guide To

…Misery and avarice are among the Jews' prominent traits, alongside cowardliness and desire for this world's life.

…Stirring up dissension and creating corruption in the land are among the Jews' traits."[68]

"The noble verses began with the description of the Jews' relations with the believers. [The Jews] were described as the most hostile people to the believers. What accounts for this hostility to the believers, which is deeply rooted in the Jews' souls, the trace of which we feel to this very day?

The Holy Koran informs us more than once of the reason for this hostility: the Jews are people of stubbornness and rejection of truth. They are enemies of [divine] guidance and good. Selfishness and egoism have subdued them. Therefore, they are malicious toward the Muslims out of envy due to the guidance of the religion of truth, with which Sublime God has honored them.

…

Extract three verses from among the preceding verses of this Surah that show the Jews' hostility to the prophets and their attempt to kill God's Messenger, and write them down in your notebook."[69]

"[The Palestinian poet] Ibrahim Tuqan said [in the 1930s]:

We have two adversaries:

[One] has power and might [i.e., Britain]

And another deceives and takes advantage [i.e., the Jews]."[70]

"She did not find the girls who had been her students…. The Jews saw her from afar saving an Arab youth, so they directed their fire toward her. A fatal bullet hit her and she fell as a martyr among the martyrs of Deir Yassin."[71]

"By your life! How come that snakes invade us. And we observe a protection covenant that respects commitments."[72]

Excerpts from *Al-Fateh,* Hamas's web magazine for children and youth

"Once, I happened upon a book from the schoolbooks in the curriculum studied in the Zionist schools. This is a forged book, full of lies, deception, and misdirection, as the Zionists—this is their custom—lie and distort history and falsify it, not just the present history but even ancient history."[73]

"Tell them [the Jews] that the land of Palestine is Muslim and that it will remain Muslim. The Zionists [will] have no existence there, whatever they do, and no matter how much they destroy and shed blood.

Tell them about your forefathers and about the Jews' forefathers and explain the difference between them.

For they [the Jews' forefathers] violated treaties, killed innocent ones, and transformed falsity into truth and truth into falsity through their trickery....

As for our forefathers, they were glorious and eminent, kept treaties the same way they protected their souls."[74]

"Al-Quds will remain as a trust in our hands and the hands of all Muslims, and they are to unite and gather for its liberation and the liberation of the land of Palestine from the impurity of the Zionists, the descendants of apes and pigs."[75]

"Why has our nation become so cowardly and lowly, fearing the apes?!... This is why you see me sad and depressed; that is why I hate all the Jews!"[76]

"...as if they are wolves whose eyes blaze with evil, evil fills their hearts...they are indeed the murderers of the prophets."[77]

"...cowardly Zionists, cursed Zionists, contemptible Zionists, thieving and usurping Zionists, satanic Jews, the impurity of Zionist Jews"[78]

"...evil Zionists who do not have even one grain of culture in them"[79]

"...The soldiers' teeth stood out as they laughed and their teeth stuck out as the fangs of wolves who grind the bones of a young lamb they hunted from its mother, their heart as the heart of the wolves that have no human emotion in them, and then they proceeded to shoot them...."[80]

"...the *shahid* reached the target, boarded bus number 18, his hand on the detonation switch, his heart trusting in the mention of the name of Allah.... The Jews became to him like flies or locusts...."[81]

ENDNOTES

1   Wolfram Reiss, *Erneuerung in Der Koptisch-Orthodoxen Kirche* [Renewal in the Orthodox Coptic Church] (Hamburg: LIT Verlag Münster, 1998); Wolfram Reiss, "Obstacles and Chances of an International Dialogue on Curriculum Revision in the Middle East," paper presented at the conference on "Learning about the Other and Teaching for Tolerance in Muslim Majority Societies," Istanbul, November 10-13, 2005.

2   Eckert Institute, "Patterns of Cultural Interpretation of Human Rights in Civic Education in Arab and European Countries: Tunisia, Syria, France and Germany," 2011; Human Rights Education Associates (HREA), "Review of Moroccan School Textbooks for Gender Equality and Human Rights," 2005.

3   First published by Freedom House, "Saudi Arabia's Curriculum of Intolerance," May 1, 2006; updated by the Center for Religious Freedom of the Hudson Institute with the Institute for Gulf Affairs, "2008 Update: Saudi Arabia's Curriculum of Intolerance with Excerpts from Saudi Ministry of Education Textbooks for Islamic Studies," 2008; updated again by the Center for Religious Freedom of the Hudson Institute, "Ten Years On: Saudi Arabia's Textbooks Still Promote Religious Violence," 2011.

4   Truman Institute, Eckert Institute, and Adenauer Stiftung, international conference on "School Textbooks in the Greater Middle East: National Identity and Images of Self and Other," Jerusalem, June 2011.

5   The preliminary program of this symposium, which was held in June 2010 at the Mémorial de la Shoah in Paris, mentioned papers on "Perceptions of the Holocaust in Arab Countries" (E. Webman), "Perceptions of the Holocaust in Turkey" (R. Bali), "The Image of the Jews and the Holocaust in Moroccan Schoolbooks" (A. Benhassi), and "The Holocaust and the Human Rights Discourse in Morocco" (M. El Khamlichi).

6   Leon Watson quoting from Ali al-Ahmed's interview with Fox News, in "The Arabic school textbooks which show children how to chop off hands and feet under Sharia law," *Mail Online*, December 23, 2011.

7   IMPACT-SE, the Institute for Monitoring Peace and Cultural Tolerance in School Education, is a registered nonprofit, nonpartisan research institute dedicated to peacemaking between peoples and nations by encouraging the acceptance of the "other" and rejection of violent conflict resolution. To this end, it analyzes school curricula in the Middle East and worldwide to ascertain whether the material conforms to international educational standards in the field of education for tolerance and peace, whether the "other" is recognized and accepted or stereotyped and demonized, and, if conflict exists, whether peaceful conflict resolution is advocated. This is done through strict academic research criteria, based on UNESCO declarations and resolutions.

8   "Jews, Zionism and Israel in Syrian Textbooks" (2001); "Jews, Israel and Peace in Palestinian School Textbooks" (2001); "Palestinian Authority School Textbook, Second Edition, 2001"; "Jews, Israel and Peace in Palestinian School Textbooks and High School Examinations" (2002); "Jews, Israel and Peace in Palestinian Authority Textbook, Grade 3 and Grade 8" (2003); "The West, Christians and Jews in Saudi Arabian Schoolbooks" (2003); "Jews, Israel and Peace in Palestinian Authority Textbook, Grade 4 and Grade 9" (2004); "The West, Christians, War and Peace in Egyptian Schoolbooks" (2004); "Jews, Israel and Peace in Palestinian Authority Textbook, Grade 5 and Grade 10" (2005); "The War Curriculum in Iranian Schoolbooks" (2007); "Palestinian Textbooks: From Arafat to Abbas and Hamas" (2008); "The West, Christians and Jews in Saudi Arabian Schoolbooks: A Research Update" (2008); "Palestinian Textbooks: An Updated Conclusion" (2009); "*Al Fateh*, the Hamas Web Magazine for Children" (2009); "Peace and the 'Other' in Tunisian Schoolbooks" (2009); "Jews and Israel in Palestinian Schoolbooks," a preliminary 2010 update report; "Egypt's Overriding Muslim Identity and Its Consequences," an update report on Egyptian school textbooks (2011).

9   This is notably the case for the report "Palestinian Authority School Textbook, Second Edition, 2001," in which two-thirds of the 140 schoolbooks reviewed were Jordanian ones. In addition, since 2010 IMPACT-SE has incorporated in its review of Palestinian schoolbooks twenty-five books for grades 7, 8, 9, 10, 11, and 12 issued by the PA Ministry of Waqf and Religious Affairs. These are in use in some of the Palestinian schools in the West Bank and East Jerusalem and are reprints of Jordanian schoolbooks issued in 1996.

10 *The Holy Koran and Its Studies*, grade 11, p. 38, 1996, Jordan.

11 *Islamic Education*, grade 11, p. 77, 2002, Egypt.

12 *Al Fateh*, issue 4, December 2002.

13 *Al Fateh*, issue 8, April 2003.

14 *Al Fateh*, issue 5, January 2003.

15 "The road to Tiberias," in *Reading and Texts*, grade 8, Part 1, pp. 137-143, 2002, Palestinian Authority.

16 Excerpts of "Rita and the Rifle" and "The Sleeping Garden" in *Texts*, grade 12, Humanities, pp. 93-94, 2006, Tunisia, quoted in IMPACT-SE, "Peace and the 'Other' in Tunisian Schoolbooks," pp. 28-29, 2009.

17 *Islamic Education*, grade 9, p. 159, 2007, Tunisia.

18 *Islamic Education*, grade 11, Part 2, pp. 110-111, 2008, Palestinian Authority.

19 *Hadith*, grade 9, p. 148, 2006, Saudi Arabia.

20 *Hadith*, grade 9, pp. 148-149, 2006, Saudi Arabia.

21 *Hadith*, grade 9, p. 149, 2006, Saudi Arabia.

22 *Hadith*, grade 9, p. 148, 2006, Saudi Arabia.

23 *Dictation*, grade 8, Part 1, p. 24, 2000, Saudi Arabia.

24 *Hadith*, grade 9, pp. 148-149, 2006, Saudi Arabia.

25 *Islamic Education*, grade 10, pp. 115-116, 1998-1999, Syria.

26 *Gifts of Heaven: Workbook*, grade 3, pp. 13-15, 2004, Iran.

27 *Al Fateh*, issue 2, October 1, 2002, Hamas.

28 *Al Fateh*, issue 140, January 15, 2009, Hamas.

29 *Al Fateh*, issue 45, February 1, 2005, Hamas.

30 *Islamic Education*, Grade 10, p. 39, 2002, Egypt.

31 *Islamic Education*, Grade 4, Part 1, p. 32, 2002, Egypt.

32 *Social Studies: Geography of the Arab Homeland and Milestones of Islamic History*, Grade 7, Part 1, p. 75, 2002, Egypt.

33 *Islamic Religious Education,* Grade 5, Part 2, pp. 11-14, 2010, Egypt.

34 *Monotheism*, Grade 9, p. 27, 2000, Saudi Arabia.

35 [Koran] *Commentary*, Grade 9, p. 21, 2000, Saudi Arabia.

36 *Language Exercise, Facilitating the Rules of the Arabic Language*, Grade 9, Part 2, p. 24, 1999, Saudi Arabia.

37 *Rules of the Arabic Language*, Grade 9, Part 2, p. 68, 2006, Saudi Arabia.

38 *Hadith and Islamic Culture*, Grade 10, p. 102, 2001, Saudi Arabia.

39 *Hadith and Islamic Culture*, Grade 10, p. 103, 2001, Saudi Arabia.

40 *Hadith and Islamic Culture*, Grade 10, pp. 104-105, 2001, Saudi Arabia.

41 *Assignment,* [Literary] *Study*, Grade 10, p. 105, 2006, Saudi Arabia.

42 [Koran] *Commentary*, Grade 9, Part 1, p. 41, 2006, Saudi Arabia.

43 *History of the Prophet, Biography of the Prophet and the Spread of Islam*, Grade 10, p. 31, 2006, Saudi Arabia.

44 *Islamic Education*, Grade 6, p. 137, 1998/1999, Syria.

45 *Homework, History: The Era of the Prophet and the Orthodox Caliphs*, Grade 6, p. 51, 1998-1999, Syria.

46 *Homework, History: The Era of the Prophet and the Orthodox Caliphs*, Grade 6, p. 55, 1998-1999, Syria.

47 *National Socialist Education*, Grade 10, p. 104, 1998-1999, Syria.

48 *Islamic Education*, Grade 11, p. 33, 1999-2000, Syria.

49 *Islamic Education*, Grade 11, p. 33, 1999-2000, Syria.

50 *National Socialist Education*, Grade 10, p. 95, 1998-1999, Syria.

51 *History of Iran and the World*, Grade 10, p. 109, 2004, Iran.

52 *History*, Grade 6, p. 87, 2004, Iran.

53 *History*, Grade 6, p. 90, 2004, Iran.

54 *Social Studies [Humanities]*, Grade 12, p. 41, 2004, Iran.

55 *History of Iranian and World Literature*, Grade 11, pp. 206-207, 2004, Iran.

56 *Gifts of Heaven*, Grade 4, p. 18, 2004, Iran.

57 *History*, Grade 8, p. 76, 2004, Iran.

58 *Social Studies,* Grade 3, p. 56, 2004, Iran.

59 *Holy Koran and Its Studies*, Grade 11, p. 37, 1996, Jordan.

60 *Islamic Education,* Grade 11, Part 1, pp. 14-16, 2008, Palestinian Authority.

61 *Arts and Crafts*, Grade 6, p. 38, 2009, Palestinian Authority.

62 *Holy Koran and Its Studies*, Grade 11, p. 38, 1996, Jordan.

63 *Holy Koran and Its Studies*, Grade 11, p. 49, 1996, Jordan.

64 *History of the Arabs and the Muslims*, Grade 6, p. 133, 2006, Palestinian Authority.

65 *Noble Hadith and Its Studies*, Grade 11, p. 100, 1996, Jordan.

66 *Islamic Education*, Grade 9, Part 2, p. 42, 2008, Palestinian Authority.

67 *Holy Koran and Its Studies*, Grade 11, p. 66, 1996, Jordan.

68 *Holy Koran and Its Studies,* Grade 11, pp. 115-117, 1996, Jordan.

69 *Holy Koran and Its Studies*, Grade 11, pp. 136, 139, 1996, Jordan.

70 *Arabic Language—Linguistic Sciences,* Grade 11, Part 1, p. 61, 2007, Palestinian Authority.

71 *Our Beautiful Language,* Grade 7, Part 1, pp. 78-79, 2008, Palestinian Authority.

72 *Arabic Language—Linguistic Sciences*, Grade 12, p. 61, 2009, Palestinian Authority.

73 *Al Fateh,* issue 72, March 15, 2000, Hamas.

74 *Al Fateh,* issue 140, January 15, 2009, Hamas.

75 *Al Fateh,* issue 129, August 1, 2008, Hamas.

76 *Al Fateh,* issue 140, January 15, 2009, Hamas.

77 *Al Fateh,* issue 19, December 15, 2003, Hamas.

78 *Al Fateh*, issue 47, March 1, 2005, Hamas.

79 *Al Fateh*, issue 63, November 1, 2005, Hamas.

80 *Al Fateh*, issue 38, October 15, 2004, Hamas.

81 *Al Fateh,* issue 13, September 2003, Hamas.

THE SMARTER BOMB: WOMEN AND CHILDREN AS SUICIDE BOMBERS*

Anat Berko

This article is based on over fifteen years of research in some of Israel's highest-security prisons, whose inmates include Palestinian security prisoners. The research included meetings with those responsible for operating and dispatching terrorists, with terrorists themselves, would-be suicide bombers, and leaders of terror organizations including Sheikh Ahmed Yassin (founder and leader of Hamas).

I spoke with all these people and saw women, their faces concealed by veils and wearing long robes, take center stage, well away from the watchful eyes of "big brothers," fathers, husbands, families—in effect "undressing" openly. When Ahlam Tamimi (an accomplice in the planning and execution of the 2001 bombing of the Sbarro pizzeria in Jerusalem) set out to carry out the attack she was not dressed in traditional attire, covered from head to toe. When women set out to perform an act of terror, they shed their usual modest garb and can often be seen wearing cut-off tank tops, tight pants, and heavy makeup so as to help them look more "Western." But that is not always a genuine Western look and sometimes they take the look, as they see it, with the blessing of Hamas and Islamic Jihad, to provocative extremes.

I have in my possession a letter written at my request by Nabil,[1] a terrorist dispatcher who was responsible for sending out, among others, suicide bomber Darin Abu Aisha, who blew herself up at Maccabim Junction in 2002. The letter was written at my suggestion, after many hours of interviewing, and gave Nabil an opportunity to express himself openly. He wrote:

> My dearest Darin,
>
> As I write this letter to you, my pen bears witness that I write all the sad and painful emotions in my heart about your bloody end and absence. If only I had the power to control fate, or if the wheels of history were within my control, I would turn the clock back and I would not agree to the idea of you dying a shahida [a martyr in Islam]. That is because you died while others are trading in your blood and the blood of other heroes like you. They destroyed your blood and your heroism on the streets of Gaza.

Nabil sent Darin out to blow herself up and wrote about how she was exploited and how her blood was commercialized; he himself was closely involved in many terror attacks, including those that used Muslim women for terrorist purposes. Nabil found a way to create apparently legitimate romantic connections with women in a society where having a relationship with any woman outside of marriage is taboo. He recruited and dispatched Darin, a pretty girl and an outstanding student. He may have thought to himself, "If I can't marry her...." In fact he was already married and in jail, his wife waiting for him on the outside, and he also carried

on a romantic relationship with another female prisoner,[2] so "why should Darin remain alive for another man to win her? Perhaps it was better for her to be dead than alive."

And what was the very last thing that Darin Abu Aisha did before leaving to blow herself up at Maccabim Junction? She prepared dinner for Nabil, her operator, because, as he told me: "When a woman leaves the kitchen it is only to do something bad." So he saw to it that she, Darin, should remain in the kitchen until her last moment. She made his dinner, then left to blow herself up. Nabil expressed remorse for the action, presumably on the grounds of some lingering sense of shame as the one who had "dispatched a woman" or had relationships out of wedlock.

A WOMAN'S PLACE

The very first female suicide bomber, Wafa Idris, had been divorced for nine years at the time she carried out her attack. She had been married to her first cousin, gave birth to a stillborn baby and was told she would be unable to have any more, whereupon her husband/cousin divorced her under pressure from the family.[3] What is the value of a barren, divorced woman in Palestinian society? To many a divorcee is considered cheap and unprotected and this was the source of much pain for Wafa. She set off to blow herself up after her ex-husband/cousin had married another woman, who produced a child. She felt that her life was falling apart, and the anguish of her inability to attain love and motherhood drove her to carry out a suicidal act of terror.

There have been many cases where women martyred themselves to become a *shahida*. Today women are definitely in the forefront, with many female suicide bombers in other parts of the world too. There was even one in Afghanistan, and the phenomenon has also been seen among the Chechens, Kurds, and Tamils. The typical woman suicide bomber is one from a traditional society for whom some act within that society has resulted in her sexual oppression, making her incapable of expressing herself. Another profile could be a European woman who has converted to Islam pursuant to marriage with a Muslim immigrant or descendant of immigrants. The act of terror affords her some form of self-expression, if not in her lifetime then at least after her death. In addition, suicide attacks carried out by women attract widespread media coverage and further increase awareness of the struggle in whose name they are performed. Moreover, the inclusion of women underlines the power of grievances within the society that uses them and spurs men on to take further action.

But we also need to ask whether these women receive recognition within their own society. Are they really seen as heroic? Was Amana Muna,[4] on her release from prison, truly considered a heroine by the society around her? In fact, they see such women as having problems, as having been pushed by something into doing what they do. Sheikh Ahmed Yassin, the founder and leader of Hamas who was assassinated by Israel in 2004, told me in a one-on-one meeting in 1996[5] that the role of men is to engage in terrorism or, in his words, "military affairs," while women have special potential—that is, to give birth, and that is what they should focus on. Amana Muna was exceptional in having initiated her attack herself, rather than being recruited by a male dispatcher.

Amana and Ahlam Tamimi fought with one another in jail over power struggles. According to the Hamas prisoners, Amana herself was responsible for injuring girls from Hamas and Islamic Jihad. She caused them to be severely burned by convincing other girls to throw boiling margarine mixed with sugar in their faces, and also to pour bleach in their eyes.

It was certain that in Gaza she would be duly repaid for those actions. Nor would she be allowed to wear tight jeans, but would be covered from head to toe in traditional long robes and *hijab* (veil). Hence on her release she was allowed instead to relocate to Turkey.

Sheikh Yassin altered his position in 2004 when Hamas member Reem al-Riyashi blew herself up at the Erez border crossing between Israel and the Gaza Strip. On this occasion he found good reason to support her action on the grounds that she was suspected of immoral behavior, namely, having a romantic relationship with another Hamas member. Although this may have been an unfounded rumor, it sufficed in any case for a woman to carry out an act that would "purify" her and her family members. In other words, in many cases, rather than becoming the victim of an honor killing, or being suspected of immoral conduct, these women resort to an alternative that entails self-cleansing and purification.

What did the deputy head of Hamas think of all this? After Israeli soldier Gilad Shalit was kidnapped in 2006, most of the Hamas members of parliament were arrested and incarcerated in Israeli jails. For some reason Israel released them in 2009, long before the release of Shalit. I met with those Hamas parliament members in jail; at the time of the interview (2007) Sheikh Muhammad Hassan Abu Tir was considered Hamas's deputy prime minister. He told me, "A woman's place is actually to tend to the injured in hospital, or in education, and certainly not to go and carry out an act like that"—that is, participate in an act of terror. As he insisted, "I wouldn't even allow my daughter to go out and take part in a demonstration. And my son definitely would not marry 'a woman like that' who has been released from jail."

So beyond the fact of her being a terrorist and whatever pushed her into that corner, she is also perceived as someone who "hung out with the rabble," socialized with the guys on the street, a behavior that breaks a taboo and is utterly forbidden. Furthermore, she engaged in terror, to which end she inevitably had more contact with men. She even served time in an Israeli prison away from family supervision and is therefore considered "damaged goods," because "who knows what happened to her in jail…."

Many women told me that from their point of view, they often had a greater sense of freedom in an Israeli jail than they did in their own Arab/Palestinian homes. They said they received better treatment in the Israeli prison and were often helped to find solutions to problems for which, at home, they would have been subjected to harm. At a time of mass killings against the background of Hamas-Fatah rivalry, the female security prisoners told me that "Israel never did to us what Hamas does or what we did to one another, with cruelty and murder on both sides. Rivers of Muslim blood were shed by Muslims."

Abu Tir added, "Anyone who sends a woman out [to carry out an act of terror] is sick, he is a *jahil* [a derogatory term referring to the age of ignorance, before the rise of Islam], he is a boor…." Another Hamas member of parliament, Atun, said that: "A woman is like a diamond, she should be protected and not allowed to go out anywhere. No one throws a diamond out on the street, and our daughters should also be looked after and certainly not exposed to the sun. And if such a thing does happen and they set out on a suicide attack, then what actually takes place is harmful to the family. It is a weak family that removes its daughter from the fold to send her out and in fact makes use of her."

This total control and gender-based oppression continue even after the woman's death because, from society's point of view, if a woman blows herself up she exposes her nakedness. How could a woman expose her body parts to the public? If her body explodes then "her flesh

is on view, and how can the sight of the flesh [i.e. the naked body] of a woman be tolerated?" In other words, even after blowing herself up she is considered sinful, because even her dead body is still controlled.

In my book *The Smarter Bomb: Women and Children as Suicide Bombers*[6] I refer to this phenomenon as "striptease for bombing." The female suicide bomber sets out to perform an act of terror, thus exposing her body in Western attire that is often even more revealing than that of a conventional Western woman, so as to achieve what they themselves refer to as the "Western look." Not only does she have to walk around in revealing clothes on her way to the attack, but once she actually blows herself up Palestinian society considers her to have undressed completely in public.

At my request, one female suicide bomber drew her own self-portrait, a sketch that could be discussed at length and serves as an excellent illustration of her self-perception. The portrait itself contains enough material to merit a whole separate analysis.[7] The artist was not a five-year-old girl but a young woman of twenty-one, a university graduate, and the portrait shows such an introverted body image that the body is depicted as a box closed over concealed female body parts. It shows no femininity; it is repressed and blocked, any emphasis on femininity being shameful.

As for Nabil, the terrorist dispatcher who sent Darin Abu Aisha to her death, while visiting the family of a different suicide bomber whom he also sent to blow himself up in Tel Aviv, he went even further by recruiting that man's sister for another suicide bombing. A few smiles sufficed, a romance developed, and she became his new lover. Israeli soldiers arrested them together in their hiding place, and in the course of the arrest she pretended to be Nabil's wife. They then continued their romantic relationship while in jail; it eventually ended at Nabil's initiative when his real wife threatened to leave him, but while it lasted it sustained the pair in jail.

INCENTIVES FOR "MARTYRDOM"

Israeli jails are stimulating places. The state of Israel enables terrorists to acquire an education via the Open University, whether in academic studies or a preparatory course for school matriculation. Good relations develop between male and female prisoners who manage to maintain some degree of romantic tension, expressed in smiles, messages, secret exchanges of letters, all helping them feel that their lives are continuing even while imprisoned.

Female security prisoners say, "If a girl makes a mistake"—usually meaning a premarital sexual relationship or even a rumor of a sexual relationship—"she must pay for it." They are often referring to themselves and by "payment" they mean performing an act of terror (or being murdered in an honor killing). In many cases, sometimes before a female suicide bomber is dispatched she is also subjected to sexual exploitation and told, "You are going to die anyway, so why not...in Paradise you'll be a virgin again, so there's no problem."

Girls who reported being beaten or otherwise hurt at home—by incest, or by being forced to marry against their will, for instance—have run away and offered themselves for suicide attacks, or arrived at a border crossing carrying a knife and asked IDF soldiers to arrest them so as to escape their dangerous home background. One terrorist from the PFLP (Popular Front for the Liberation of Palestine) told me that "an operation to repair virginity

is lifesaving surgery," and that in her experience "in an Arab home the father oppresses the mother and the mother takes out her anger on her daughter. The mother is helpless to do anything because in the home the father is 'God' ['Allah'] and opposing him is out of the question."

And what does a female suicide bomber believe awaits her in Paradise? She is promised everything she does not have in this world: not only eternal virginity, but a skin of such whiteness and delicacy as to make blood vessels visible through it, and a hymen that heals itself after every sexual contact. Other rewards are promised to women as well. Unlike men who are led to expect seventy-two virgins in Paradise, women are unable to say "we expect seventy-two men." What they can say is that they may expect "that thing"—referring to sex. And not only sex with people from this world, but with people from throughout the Islamic pantheon over the past two hundred, even three hundred years or more, when encounters were really exciting.

What will such virgins do? Older women will revert to being young, young women will be virgins for all eternity. If they were married they will meet up again with their husbands, though of course this is not always what they wish for. If the husband beheaded them or meted out some other form of brutal punishment, they will surely have no desire to meet him again in Paradise.

But in any event they will see the face of Allah, the face of the Prophet Muhammad. There will be no more physiological needs, no need to go to the bathroom, no monthly menstrual cycle; they will be available for sexual activity at any given moment. Yet at the same time they will remain virgins, and in the eyes of these terrorists or potential terrorists, the value of virginity both for women and for family members, and for this society as a whole, is greater than that of life itself.

What about young Palestinian men and boys who are involved in terror attacks? Their dispatchers and operators hand out empty promises, such as: "Go out there and perform an attack and we will make sure to get you out of trouble. Israelis act according to Western law, which is lenient to minors, and there won't be any problem. You'll have a one- or two-year sentence and maybe you'll finish your high school diploma in jail and then everything will be all right."

In one example, a youth with an average school grade of 50 knew that he had no chance of graduating from school. Once he was sent to an Israeli prison, however, the Palestinian examiners there raised his grades to enable him to complete his high school work there (under far superior conditions) so as to obtain a coveted Jordanian/Palestinian matriculation diploma.

The following is a summary of the boy's own testimony in court:

» **Defense attorney**: What grade are you in?

» **Defendant**: Twelfth grade.

» **Defense attorney**: What is your average school grade?

» **Defendant:** 50.

» **Defense attorney**: Why did you turn yourself in?

» **Defendant:** I had a problem in school, I was excluded from school, I don't know what I did and I was afraid of my dad. I thought about going away somewhere else, but I had no

money. So I decided to turn myself in.

» **Defense attorney**: What does your dad do?

» **Defendant**: He's a doctor.

» **Defense attorney**: Can't you take the matriculation exam in your village?

» **Defendant**: No, I am well below standard in school.

» **Defense attorney**: And where did you want to take the exam?

» **Defendant**: In jail.

His previous poor school record was thus transformed into a desirable high school diploma, a success that merely boosted his motivation to go out and commit more terror attacks.

One aspect that is not much spoken about, however, is the great damage wrought on youngsters and children by the planners of Palestinian terror attacks. These children are victims who are quite simply exploited and misled. The first underage potential suicide bomber was a fifteen-year-old boy with a stammer, whose divorcee sister later also offered her own services as a suicide bomber. Thus we see a family pattern repeating itself. The young boy pulled the wires as instructed to detonate his explosives, pulled and pulled again, but the bomb failed to explode.

He later told me: "I was exploited and in fact there was no reason not to exploit me." Like other youths I spoke with, this boy dreamed of the virgins who would be waiting for him in Paradise: "I am a virgin too, and I would meet other virgins." In other words, virgin girls are offered to virgin boys, presumed to be awaiting them in Paradise. This boy's sole desire was to blow himself up: "Once I pressed that button I would go straight to Paradise. I believed that dark-eyed virgins would be waiting for me there, '*banat*' ['girls'].… I never had a relationship with a woman. I was young and knew nothing about such things."

But this particular scenario ended somewhat differently and instead he headed straight to an Israeli jail.

The opinions of young male terrorists on women who are recruited to carry out attacks are equally interesting: "Even young people talk of this being an act forbidden to women. It is unthinkable for a girl to do that. A girl who carries out a suicide attack is not a good person, she is bad and no one will want to marry her." There is actually a conspiracy of silence, an unwillingness to talk about why a girl carried out an attack, the real reasons that led her to it. The recognition she will receive from Palestinian society will be no more than superficial. Negative discrimination applies even to payments (in the form of a pension) to the families of "martyrs," with women's families receiving a smaller amount than men's. In Palestinian society the value of a woman is simply lower, and that is not changed by the act she performed. Hence (according to Barbara Victor)[8] the families do not receive equal compensation, which further reinforces the idea that far from being a form of feminist revolution, this is merely another form of oppression of women.

There is a polarized element in social attitudes toward women in Palestinian Arab society: on the one hand, they are restricted to the confines of personal and family space; on the other, they are recruited to carry out attacks that result in their "naked" body parts being openly exposed to public view. Inside the prisons rivalry abounded between women belonging to Hamas and to Fatah. Amana Muna objected to being sent to Gaza after her release from jail as part of the Gilad Shalit prisoner exchange deal; she knew she would be less warmly received there than other released prisoners.

THE GROWING DANGER

I propose a new term for the phenomenon of suicide attacks: *shahidamania*, that is, a kind of mania to achieve martyrdom (*istishahad*) in the attacker's eyes. The phenomenon is not exclusive to Israel and Palestinians but worldwide, and damages not only the Western world but in particular Muslims and their societies. Osama bin Laden did not recruit his own sons for the mass attack of September 11, nor did Sheikh al-Qaradawi (the Kuwait-based leader of the Muslim Brotherhood) send his sons to blow up the Twin Towers, despite urging other young men to participate in the jihad with promises of the usual rewards in Paradise. We did not see Sheikh Yassin, founder and leader of Hamas, use his children for the cause, nor current Hamas political leader Ismail Haniyeh. The preference is always to use other people's children.

As for women, there is a genuine prospect of a woman in traditional garb and head-covering boarding an airplane with explosives embedded in tampons. Today there is talk of implanting explosives into a terrorist's body by surgical means. A woman could conceivably board an aircraft with explosive tampons inserted into her vagina and detonate herself inside the plane. Who would be able to identify the explosives in a body search? What warning can there be of such an occurrence?

We are now facing a very real challenge. Women are not examined as thoroughly as they should be at border crossings; they benefit from a more tolerant and chivalrous approach. Women and children provide excellent camouflage for an attack, for who would suspect what appears to be a normative family group sitting in a car accompanying someone who is in fact a suicide bomber? And who would suspect someone with a baby in a car, only to find later that this person has no qualms about blowing up the car with the baby in it? These are all terror attacks that actually take place today in our region and others around the world.

Are female suicide bombers in fact "smart bombs," or are they perhaps foolish, stupid bombs? The clear message being transmitted in Palestinian society is one of living altruistically in this world and hedonistically in the next.

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ENDNOTES

*   This article is excerpted from Anat Berko, *The Smarter Bomb: Women and Children as Suicide Bombers* (Tel Aviv: Yedioth Ahronoth Press, 2010 [in Hebrew; due for publication in English in November 2012 by Rowman & Littlefield).

The lecture was translated from Hebrew by Marian Shay.

1   The names of a few interview subjects were changed to protect their privacy and enable them to speak freely.

2   Such relationships in the prison context were of an emotional nature only, with no direct physical contact. Detainees might occasionally find a possibility of exchanging notes, seeing one another in a military courtroom, or other distant contact, but they perceived such relationships as romantic.

3   Paige Whaley Eager, *From Freedom Fighters to Terrorists: Women and Political Violence* (Farnham, Surrey, UK: Ashgate, 2008), 188-189.

4   Amana Muna lured Israeli teenager Ofir Rahum to his death in Ramallah and was jailed for life in 2003. She was later released as part of the Gilad Shalit prisoner exchange deal. Fearing reprisals from Hamas and the families of other prisoners to whom she caused physical and/or emotional harm in jail, she resisted deportation to the Hamas-ruled Gaza Strip and was eventually sent to Turkey.

5   Anat Berko, *The Path to Paradise: The Inner World of Suicide Bombers and Their Dispatchers* (Tel Aviv: Yedioth Ahronoth Press, 2004, 2007, 2009, 2010 [in Hebrew; in English by Praeger, Potomac; in Polish by Axis/Replika]).

6   Anat Berko, *The Smarter Bomb: Women and Children as Suicide Bombers* (Tel Aviv: Yedioth Ahronoth Press, 2010 [in Hebrew; due for publication in English in November 2012 by Rowman & Littlefield]).

7   The self-portrait is reproduced in ibid.

8   Barbara Victor, *Army of Roses* (Emmaus, PA: Rodale, 2003).

INCITEMENT IN RWANDA: THE PATH TO GENOCIDE

Gregory S. Gordon

This article addresses the following questions: (1) What role did incitement play in the mass murder of some eight hundred thousand Tutsis in Rwanda over a three-month period in 1994? (2) What are the legal foundations for the International Criminal Tribunal for Rwanda's (ICTR) incitement-to-genocide jurisprudence? (3) What does that jurisprudence consist of? (4) How is the ICTR precedent relevant to contemporary cases of incitement?

HISTORICAL BACKGROUND

Rwanda was a Belgian colony, gaining independence in 1962. At the time of independence, there was large-scale violence perpetrated by Hutus against Tutsis, related to resentment Hutus felt regarding the manner in which Belgium governed the colony—generally favoring Tutsis and disenfranchising Hutus. Many Tutsis fled the country for refuge in neighboring lands and formed a diaspora in Central Africa's Great Lakes region. From the Tutsi refugee group in Uganda, the Rwandan Patriotic Front (RPF) was formed. In 1990, from Uganda's southern border, the RPF launched a military invasion into Rwanda. At that time, the Rwandan economy was quite weak and there was international pressure on Rwandan president Juvénal Habyarimana to make peace with the RPF.

In August 1993, the Hutu-dominated Rwandan government negotiated a settlement with the RPF known as the Arusha Peace Accords. These accords called for the establishment of a transitional government that included RPF participation in both the government and the military of Rwanda (a so-called Broad-Based Transitional Government that also included moderate Hutu parties). A UN peacekeeping mission, UNIMIR (UN Assistance Mission for Rwanda), was established to monitor the Arusha Accords transition.

Habyarimana had hard-line Hutus in his clique who did not want the president to bow to international pressure and share power with the Tutsis via the Arusha Accords. The accords aimed to establish the Broad-Based Transitional Government in anticipation of general elections. Habyarimana, then, was trying to temporize; to slow implementation of the accords and play the various factions off one another so as to stay in power. Hutu extremists, however, ultimately felt that he was selling them out and that the Arusha Accords could not be implemented under any circumstances. They began to use the media to attack the accords, the international community (especially the Belgians), and, most importantly, the Tutsis. And they began to formulate a plan for the genocide of the Tutsis.

As part of this, extremists set up a radio station, Radio Télévision Libre des Milles Collines (RTLM), otherwise known as Radio Machete. They also used the state-run radio station,

"Radio Rwanda," to incite against the Tutsis. In their hate language disseminated over the airwaves, they attempted to dehumanize the Tutsis by, among other things, referring to them as "*inyenzi*" (cockroaches).

The Hutu extremist newspaper *Kangura* used both images and language to incite. For example, it published on one of its covers a photo of the first Rwandan president Grégoire Kayibanda, who led the country during the early post-independence period of mass violence against Tutsis. Next to the image of Kayibanda, a machete was depicted; and the text placed next to these images posed the question: "What shall we do to complete the social revolution of 1959?"—a reference to the Hutu revolt that overthrew the Tutsi monarchy and the accompanying mass violence. The apparent aim of the cover was to incite readers to massacre Tutsis with machetes.

The extremists also began to organize militias, including a group known as the *interahamwe* (meaning "those who work together" in Kinyarwanda), drawing from the ranks of disaffected youths. They purchased and stockpiled machetes and other weapons and used them to arm the militias, which, having been exposed to the incitement, began assaulting and murdering Tutsis. The head of the UNIMIR mission, General Roméo Dallaire, learned from an anonymous informant that extermination of the Tutsis had been planned. Unfortunately, his reports to UN headquarters were ignored, as were his requests to seize arms caches. And so the stage was set for genocide.

Before discussing the use of media *during* the genocide, it would be helpful to provide a few more examples of how the extremist Hutus used the media to foment violence in the period leading up to 1994. There had been, for example, a media-driven dress rehearsal for the genocide in Bugesera, near the Rwandan capital of Kigali. At the direction of Ferdinand Nahimana, then head of the government media agency ORINFOR (and later a principal founder of RTLM), Radio Rwanda broadcast a fabricated communiqué stating that the Tutsis had drawn up a hit list and that, based on this list, there would be Tutsi mass killings of Hutus. This message was broadcast as the militias were being trucked to Bugesera; thereafter, they murdered hundreds of innocent Tutsis. This orchestrated mix of incendiary language and militia movement followed by mass murder served as the template for the genocide during April to July 1994.

Another example is worth noting. In November 1992, Léon Mugesera, a prominent member of Habyarimana's MRND party, made an infamous speech calling for the extermination of the Tutsis. Among other techniques, he used metaphors. For example, he exhorted the audience to send the Tutsis "back to Ethiopia" via the Nyabarongo River, a nonnavigable body of water where Hutu bodies had been dumped after massacres in the early years after independence. And his language suggested that Tutsis were aliens, not true Rwandans but outsiders originating from the Ethiopian region. The Rwandan audience for this speech, as well as government authorities, easily grasped its import.

Mugesera was indicted for incitement by Rwandan authorities but fled to Canada, where an immigration case was filed against him. Early in 2012, after years of proceedings and appeals in Canada, he was deported to Rwanda to stand trial for his crimes.

CATEGORIES OF RTLM MESSAGES PRE-GENOCIDE

This radio station disseminated roughly four categories of messages before the genocide:

> 1. General efforts to create animosity toward Tutsis (for example, criticizing them for having too much wealth—a common anti-Semitic trope—or engaging in ethnic stereotyping regarding their physical characteristics)

> 2. Broadcasts that equated the terms *inyenzi* (cockroach) and *inkotanyi* (a Kinyarwanda word meaning a violent warrior/killer from feudal times) with Tutsis in general

> 3. Acknowledgments of RTLM's reputation as anti-Tutsi and inciting hatred toward Tutsis (for example, telling listeners that RTLM "sets people at odds with others," "creates tension," "heats up heads")

> 4. Specific verbal attacks against particular Tutsis (for example, a broadcast on April 3, 1994, specifically denounced a doctor in Cyangugu—and three days later he was burned alive in front of his house)

Of course, all of this led to the actual genocide. On April 6, 1994, the airplane of President Habyarimana, returning from talks in Arusha on implementing the accords, was shot down over Kigali. Almost immediately, roadblocks were set up all over Kigali and death squads began killing prominent Tutsis and moderate Hutu politicians. A group of Belgian Blue Helmets were then murdered with the goal of impelling Belgian/UNAMIR withdrawal from Rwanda. Soon the killing spread across the country as RTLM continued to broadcast inflammatory messages. By the middle of July, approximately eight hundred thousand Tutsis and moderate Hutus had been slaughtered; an unimaginable number were hacked to death with machetes.

An illustration depicting a scene from the first night of the genocide shows two Rwandans listening to the radio at home, after Habyarimana's plane was shot down. The illustrator imagines that they hear the following message:

> We ask all our valorous Hutu brothers not to allow this crime to go unpunished. Rise up, our brothers! Rise up and go to work! Sharpen your tools, raise your bludgeons! We must eradicate this breed of cockroaches! Look for them in all the holes. . . .

We do not know if this precise message was broadcast that evening. But it represents a reasonable composite or facsimile of the type of language that was disseminated by RTLM once the genocide began. "Go to work" was a euphemism understood by Rwandans to mean "kill Tutsis." And Hutus were exhorted to kill them with primitive tools, such as machetes and bludgeons. Once again, the Tutsis were dehumanized by being referred to as cockroaches.

In addition to the type of messages it disseminated before the genocide, during the genocide RTLM broadcast messages that can be roughly divided into four new categories of incitement: (1) calls for the extermination of all Tutsis, including dehumanization of Tutsis and use of code words such as "go to work"; (2) reporting that extermination had taken place and praising it; (3) calls for attacks on UNAMIR—the skeletal force that Dallaire was leading that could do little more than serve as witnesses to the genocide; and (4) downplaying the extermination or urging the population to conceal traces of it so as to improve Rwanda's

international image.

A chilling example of Category 1 can be found in an RTLM broadcast by Kantano Habimana on June 4, 1994:

> One hundred thousand young men must be recruited rapidly. They should all stand up so that we kill the *inkotanyi* and exterminate them. . .the reason we will exterminate them is that they belong to one ethnic group. Look at the person's height and his physical appearance. Just look at his small nose and then break it.

Another illustration comes from broadcaster Georges Ruggiu, the only white European convicted by the ICTR. He called on the population, particularly the military and the *interahamwe* militia, to finish off "the 1959 revolution." As noted, this was understood as an incitement to massacre the entire Tutsi population as Rwandans would roughly understand the exhortation to mean: "Many were killed in 1959 but not all. We now need to finish the job. We must now massacre the entire Tutsi population."

What role did incitement play in the genocide? ICTR judge Navanthem Pillay perhaps described it best and most evocatively in the Media Case Trial judgment:

> The Chamber accepts that this moment in time [the downing of the airplane on April 6] served as a trigger for the events that followed. That is evident. But if the downing of the plane was the trigger, then RTLM and *Kangura* were the bullets in the gun. The trigger had such a deadly impact because the gun was loaded. The Chamber therefore considers the killing of Tutsi civilians can be said to have resulted, at least in part, from the message of ethnic targeting for death that was clearly and effectively disseminated through RTLM and *Kangura* before and after 6 April 1994.[1]

DIRECT AND PUBLIC INCITEMENT TO GENOCIDE: THE LEGAL FOUNDATIONS

It is now appropriate to consider the foundations of incitement law. Article 2 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) defines genocide as a series of acts, including killing and causing serious bodily or mental harm, committed with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group as such. Article 3 then states that a number of related acts committed in furtherance of Article 2 will also be punishable, including Article 3(b), "[d]irect and public incitement to commit genocide."

Article 2(3)(c) of the ICTR Statute mirrors Article 3(b) of the Genocide Convention and several defendants have been prosecuted and convicted pursuant to this section of the ICTR statute:

1. Jean-Paul Akayesu, mayor of the Taba commune, incited the *interahamwe* militia in advance of massacres of Tutsis and was convicted in 1998.

2. Jean Kambanda, prime minister of the rump government during the genocide, metaphorically called for the elimination of Tutsis in speeches on the radio. He was also convicted in 1998.

3. RTLM announcer Georges Ruggiu also used metaphors to incite Hutus to kill Tutsis and was convicted in 2000.

4. In the 2003 Media Case judgment, RTLM founders Ferdinand Nahimana and Jean-Bosco Barayagwiza, as well as *Kangura* editor-in-chief Hassan Ngeze, were found liable for incitement.

In the most recent case, the International Criminal Tribunal pronounced judgment on Simon Bikindi, a famous Rwandan pop singer known for songs such as "Nanga Abahutu" ("I Hate These Hutus," a song about contempt for Hutus who are tolerant toward Tutsis). His songs were played on the radio and by militias during the genocide. In late June 1994, as he traveled in a vehicle in an area where killing was taking place, he told militia members on a loudspeaker to rise up against the Tutsis and not spare anybody. On the way back, in the same vehicle, he asked the militia if they had killed the "snakes." Bikindi's incitement conviction was not based on his composing, singing, or playing recordings of his songs, because he played no role in their dissemination during the genocide, but on his genocidal exhortations on the car loudspeaker to the militia members.

These cases allowed the tribunal to elaborate the principles of incitement. In doing so, the tribunal grappled with the following inquiries:

1. Where was the utterance issued? (Is it sufficiently public?)

2. How was it interpreted by the audience? (Is it sufficiently direct?)

3. What was the state of mind of the person uttering the words? (Is there sufficient intent?)

4. What was the content of the statement? (Is it a permissible exercise of free speech or is it criminal advocacy?)

5. Must there be resulting violence? (I.e., is there a causation requirement?)

The "public" criterion is fairly straightforward. For incitement to be public, it needs to be a call for criminal action in a public place or by mass media.

Understanding whether or not the speech is "direct" requires considering it in light of its cultural and linguistic content. In other words, do the persons for whom the message was intended immediately grasp its meaning? So additional inquiries come to mind: (1) what language is being spoken? and (2) what are the sociolinguistic ramifications of the statement given the time and place of its utterance? For purposes of elucidating these issues, a sociolinguist can be employed as an expert witness. In the Media Case, for instance, the prosecution's sociolinguist explained that the average Rwandan would understand *inyenzi* as meaning someone to kill, as it is an insect that one typically squashes under one's foot.

The mental element is identical to that for the crime of genocide. In other words, the prosecution must prove the defendant had the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group as such.

It should also be noted that, in order to find liability for incitement, it is not necessary to prove resultant violence. The ICTR found that causation was not a requirement. It came to this conclusion because incitement is an "inchoate" crime. Inchoate crimes involve conduct that is designed to culminate in the commission of a substantive offense but has not yet achieved its culmination because there is something the actor or another still must do. Society feels justified in stepping in to assure that the target of the inchoate offense does

not occur. In the case of incitement, this means the law may intervene once the offensive words have been uttered and before genocide comes to fruition.

The question of "content" is the most difficult. In my scholarship, I point out that the ICTR has divided the analysis of "content" into four main elements: *purpose* (on one end of the spectrum "legitimate"—such as news and historical research, and on the other end "illegitimate"—i.e., explicitly seeking violence); *text* (considering the words themselves); *context* (internal—speaker's history and tone, and external—extraneous circumstances surrounding the speech, such as recent violence); and *relationship between speaker and subject* (government/majority speaker versus dissenting/minority speaker—the former is given much less deference in terms of free-expression considerations). "Text" and "relationship between speaker and subject" have not been explicitly identified as evaluative factors by the ICTR but reference to and reliance on them can be discerned from the Media Case judgment.

Regarding the "purpose" element, the difficulty lies in parsing speech that is in the "twilight zone" of not *explicitly* calling for violence. On one side of the divide, there are instances of speakers legitimately attempting to raise ethnic awareness. A good example is provided in the Media Case judgment where Jean-Bosco Barayagwiza talks about his childhood and how difficult it was to grow up as a Hutu under the perceived oppression of Tutsis. Perhaps less clearly legitimate, but still not necessarily incitement, is the use of metaphors. For example, an issue of *Kangura* explaining that a cockroach (i.e., a Tutsi) could not give birth to a butterfly may not rise to the level of incitement (though it could support a persecution charge). On the other hand, code words, such as "go to work," even if not on their face explicit calls for violence, can be deciphered as incitement (the intended listeners understood them as a call to violence). Similarly, predictions of genocide might also be viewed as incitement. The speech at issue must always be considered on a case-by-case basis.

In this regard, "context" is quite helpful in discerning purpose. My research leads me to conclude that there are certain "external context" evaluative factors that should be looked at in determining whether there is incitement: (1) media environment; (2) political context; and (3) the existence or imminent outbreak of war.

Concerning the first "external-context" evaluative factor, incitement is more likely in a coercive media environment with an absence of competing messages and frequent message repetition. American jurisprudence on free speech regularly alludes to the metaphor of the marketplace of ideas. If the marketplace of ideas is functioning properly, then, in theory, good speech should be able to counter bad speech and ultimately marginalize it. If the marketplace is not functioning properly, however, an external context prevails where we are more likely to find that pernicious advocacy constitutes incitement.

Regarding the second factor, a finding of incitement should be more likely when there is political instability or when absolutism heightens audience dependence on the communication media and thereby strengthens the influence of the hate message on audience members.

As for the third external-context evaluative factor—the existence or imminent outbreak of war—genocide scholars have pointed to the empirical connection between genocide and armed conflict between the perpetrating government and another sovereign, or between the perpetrating government and an internal armed rebel group. Such a state of affairs would tend to tilt the analysis more in favor of finding incitement.

I have also advocated including these additional three criteria in the analysis of whether disseminated speech may be considered a legitimate exercise of free speech or an exercise in criminal advocacy:

Temporality: This requires that the speech be contemporaneous with its dissemination.

Instrumentality: This requires that the speech be disseminated by the speaker himself—always a potential issue when recordings are used.

Channel of communication: This requires considering whether speech is disseminated via a written versus a broadcast medium. Written material should be seen as less likely to entail incitement than broadcast material. However, with the recent explosion of social media, perhaps instant messaging tilts the scales in favor of an incitement finding even more than broadcast material. This is a phenomenon that needs to be monitored and explored in greater detail.

CONTEMPORARY APPLICATION

What about the application of incitement law today? Will it be of service in the near future? Or will it need to be clarified and refined even more going forward? Experts and courts will likely be grappling with this emerging body of jurisprudence in the coming year. Three cases in particular should be monitored: (1) the Rwandan prosecution of the infamous "Nyabarongo River-inciter," Léon Mugesera; (2) the International Criminal Court case against Kenyan radio announcer Joshua arap Sang; and (3) potential liability of Iranian leaders such as Supreme Leader Ayatollah Ali Khamenei and President Mahmoud Ahmadinejad.

LÉON MUGESERA

As mentioned previously, earlier this year, after a decade-and-a-half of immigration-related proceedings, Canada finally deported Léon Mugesera to his native Rwanda to be criminally prosecuted in connection with his infamous 1992 speech. Among other offenses, the Rwandans have charged him with direct and public incitement to commit genocide. His trial, scheduled for later this year, will likely result in an interesting application and test of the ICTR jurisprudence.

For example, critics of the judicial opinions from Canada's immigration proceedings have emphasized that seventeen months elapsed between Mugesera's November 1992 speech and the start of the Rwandan genocide in April 1994. Therefore, from an external-context point of view, at least on the surface, it may seem that the speech was not delivered in a genocidal environment. Looking beyond the surface, though, one finds that in late 1992 widespread violence, which would eventually culminate in the genocide, was already being perpetrated against Tutsis. If Mugesera is found guilty, one would expect that an in-depth, credible judgment would explain the relationship between such contemporaneous violence and the speech—not merely refer to the speech and point out that genocide eventually occurred seventeen months later. Similarly, in addition to parsing the code words used by Mugesera and the nature of the political rally at which they were uttered, one would hope that the court would provide analysis regarding, among other things, the media environment at the time of the speech and whether Mugesera previously gave comparable speeches.

JOSHUA ARAP SANG

The International Criminal Court has indicted Kenyan radio announcer Joshua arap Sang on charges of crimes against humanity arising, in part, from his broadcasting messages during violence against certain Kenyan ethnic groups, following the controversial 2007 presidential election in Kenya. Arap Sang's broadcasts are not, in and of themselves, the subject of any criminal charges against him but support non-speech-related charges: persecution in the form of murder and forcible transfer of population as part of a joint criminal enterprise. Press accounts, however, have erroneously indicated that Arap Sang is being prosecuted on incitement charges, and they have shown hostility toward the notion of applying incitement law to this case (especially since there is no causation requirement).

It is, then, important to be careful about how incitement is characterized. The media believes its own rights might be infringed with an expansive application of incitement law. The potential chilling effects of criminal speech cases should not be ignored. But for purposes of educating the public and deterring future would-be perpetrators, we need an accurate understanding of this rapidly evolving area of law.

IRAN

Iranian leaders, notably Supreme Leader Ayatollah Ali Khamenei and President Mahmoud Ahmadinejad, have called for the destruction of Israel, both directly and indirectly. This has included extremely explicit statements, for example, Ahmadinejad's call for Israel to be wiped off the map—language that, in many ways, is even more direct than much of the language from the Rwandan cases. The Iranian leaders have also used less direct means, such as resort to dehumanizing metaphors. They have, for example, referred to Israel as a "tumor" that must be removed, and analogized Israeli Jews to animals or bacteria. Even less directly, they have predicted Israel's destruction or denied the existence of the Holocaust. Such indirect calls, when anchored to more direct incitement rhetoric, may constitute incitement as well.

The context is Iran's development of nuclear weapons and its support for terrorist groups bent on Israel's destruction. Certainly, there are potential proof issues that might arise in a prosecution of these leaders. There would likely be a battle of the experts regarding the translation of their words calling for destruction. For example, some have claimed that Ahmadinejad did not in fact say that Israel should be wiped off the map but that the Israeli government should "vanish from the page of time." But there is much evidence indicating the translation is accurate. Most persuasive, perhaps, is the fact that all official translations of Ahmadinejad's statement, including a description of it on his website, refer to "wiping Israel away."

Nevertheless, the Iranian leaders would likely argue that they were advocating the destruction of the Israeli government, not its people. Still, experts note that hate rhetoric aimed at "Zionism" or the Israeli government is readily perceived as an attack on Judaism or the Jewish people themselves.

Another potential issue may be the target audience of these speeches. Is it an international audience, or an exclusively Iranian one? Assuming the target audience is Iranian, one may ask what exactly the incitement is asking the population to do. If the Iranian leaders themselves control the launch of the nuclear weapons that could destroy Israel, why must

Iranian civilians be persuaded to attack? The answer may lie in the leaders' efforts to create consensus for an Iranian policy that would result in mass murder and could trigger a war that Iranian citizens would have to fight.

Of course, no trial is without issues. That does not mean a case should not be brought. A credible case can be presented and, given the nuclear threat, a strong sense of urgency is in order. We need to recall that the Genocide Convention's full name is the Convention on the *Prevention* and Punishment of the Crime of Genocide. Prevention is first; that should be our focus. And as Iran gets ever closer to realizing its nuclear ambitions, attempts at prevention, such as through legal action, must come sooner rather than later.

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ENDNOTES

1   Available at http://www.unictr.org.

INCITEMENT, HATE LANGUAGE, AND TERROR: AN EPIDEMIOLOGIC PERSPECTIVE*

Elihu D. Richter and Yael Stein

Death and life are in the power of the tongue….

Proverbs 18:21

Wars are not fought for territory, but for words. Man's deadliest weapon is language. He is susceptible to being hypnotized by slogans as he is to infectious diseases. And where there is an epidemic, the group mind takes over.

Arthur Koestler

In epidemiology, if something is predictable, it is preventable. If smoking predicts lung cancer, we can reduce lung cancer by curbing smoking. If hate language and incitement predict and promote terror, genocidal terror, atrocity crimes, and genocide, can we prevent these horrific outcomes by stopping the hate language and incitement?

The case for action is based on core values. Respect for individual life and human dignity is the most basic of all rights. Without individual life there are no other human rights. It follows that genocide, mass atrocity crimes, and genocidal terror are the most extreme assaults on human rights. When incitement justifies or sanctions killing of individuals or groups, incitement itself is an assault on life and a violation of human rights.

THE TAXONOMY OF INCITEMENT

Hate language refers to terms used to dehumanize, demonize, stigmatize, delegitimize, or slander groups defined by their national, ethnic, religious, racial, or political identity.

Dehumanization includes terms and metaphors—usually of epidemic disease, cancer, or physical decay originating from public health and medicine—that induce disgust, revulsion, fear, and hate for the other. **Demonization** implies danger, threat, and evil intent. The origins of both are deeply rooted in religious hatreds, but since the nineteenth century both have received pseudoscientific rationales from the merging of the flawed theories of eugenics and social Darwinism. These flawed theories provided the intellectual underpinnings for Nazi medicine and racial hygiene, and its demonic anti-Semitism.
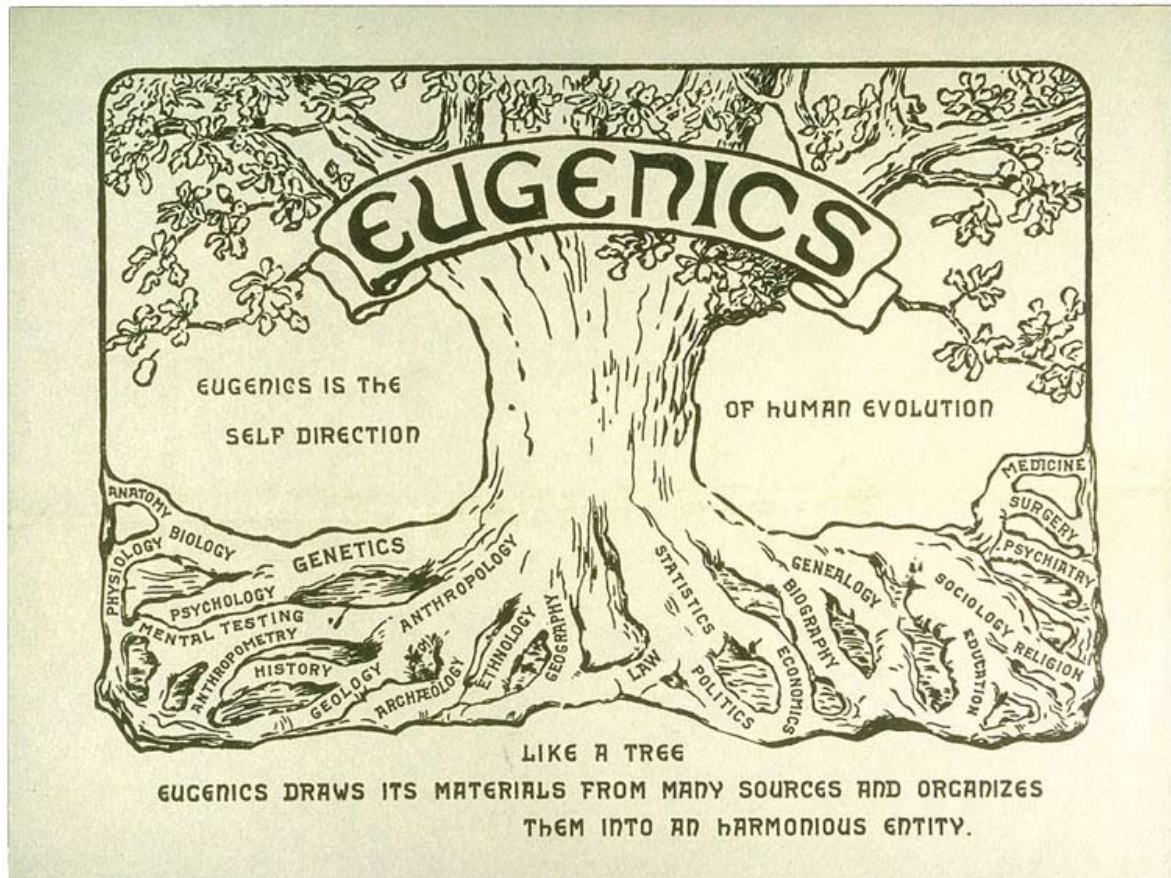
Delegitimization denies the identity and political, national, ethnic, or religious status of a group. Ignoring the existence of the other is invisible delegitimization. **Double standards** are used to judge a group by norms not applied to all other groups, so as to cast the group or members of the group in an unfavorable light. **Defamation** and **disinformation** spread lies, "rewriting" history in a way the inciter prefers. **Denial of past genocides** can lay the groundwork for future genocides.

Incitement refers to words that stimulate to action. These can be cast in the form of *threats*, *predictions and prophecies*, religious decrees, praising perpetrators of genocidal terror, or *elevating them to hero status.*

EPIDEMIOLOGY: IF INCITEMENT PREDICTS VIOLENT CONFLICT, THEN…?

The methods, tools, and models of epidemiology—the study of the distribution and determinants of disease—can be used to predict and prevent nonintentional injury, intentional injury, crime, community violence, and terror.

We propose looking at all forms of incitement and hate language as hazardous exposures that are predictive for atrocity crimes. Historical case studies and research in the behavioral and social sciences show that hate language and incitement recruit, motivate, instruct, direct, coerce, and intimidate individuals, groups, communities, and entire peoples to commit hate

crimes, and desensitize bystanders—both internal and external—from protesting against these crimes. Repeated aggressive propagation of messages and motifs of virulent hate results in their becoming embedded as accepted or acceptable norms. Indoctrination of the young, those most vulnerable, leads to intergenerational transmission of the motifs. Table 1 presents some examples of the use of dehumanizing hate language and incitement as early warning signs (EWS), predictors, catalysts, and promoters of genocide and mass murder of populations defined by their national, ethnic, religious, racial, or political status.

Table 1. Dehumanizing and Demonizing Hate Language and Incitement as Early Warning Signs of Genocide and Estimated Death Tolls

» **Young Turks:** Genocide of Armenians is "eradication of dangerous microbes" in the body politic
1.2 million dead

» **Lenin and Stalin:** Bourgeoisie are "parasites, insects, leeches, bloodsuckers"—"purges"
Tens of millions killed in "ethnic purges"

» **Hitler:** Jews are "parasites, plague, cancer, tumor, bacillus, bloodsuckers, blood poisoners, lice, vermin, bedbugs, fleas, racial tuberculosis" on German body that would be killed with the "Jewish disease"
Six million dead

» **Khmer Rouge:** "Microbes, parasites, worms, cancer"
Three million dead

» **Serbs (Karavic):** "Bosniaks [originate] from a specific gene of the Ottoman army"
104,000 dead

» **Kosovars:** Roma are *majupi*, or lower than garbage
Thousands killed?

» **Rwandan Hutu radio:** Tutsi are "cockroaches [*inyenzi*]"
800,000 dead

» **Darfur Janjaweed:** Racial epithets
300-400,000 dead

» **Islamic, Islamist, jihadist incitement (Egypt, Syria, Iraq, Palestinian Authority, Iran, Hamas, Hizbullah, Saudi Arabia):** "Zionist are sons of monkeys and pigs"
24,526 dead Israelis (so far) and more than 90,000 Arabs killed

Epidemiologic models sharpen perspectives on the distribution and determinants of mass outbreaks, viral propagation of messages, and source-exposure-effect pathways and relationships. The iceberg model of disease is useful for examining the ecology of terror, group violence, genocidal terror, and genocide.

This model suggests that eliminating populationwide exposure to incitement would be equivalent to melting the base of the iceberg.
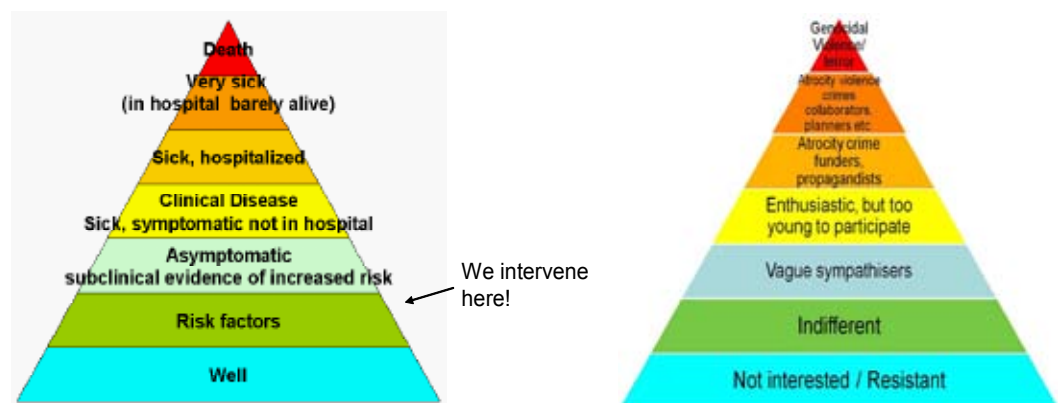
In epidemiology we track and measure air pollutants and their health effects on exposed populations. In tracking and measuring messages of hate on the airwaves, we should be able to monitor the intensity and frequency of the hate messages and their effects on attitudes and actions. We can also track incubation periods, that is, how much time elapses between the onset of incitement and the outbreak of violence. Groups that have been "primed" by prolonged repeated low-level exposure can take to the streets and pillage, destroy, rape, and kill within minutes of being incited by inflammatory hate language—as occurred in Kenya in the 2007 postelection violence and more recently in Nigeria, or within weeks following the broadcasting of hate messages on the radio in Rwanda. (See Figure 3 and Table 2.)

Hate language and incitement broadcast by Hutu Radio Télévision Libre des Milles Collines (RTLM) in Rwanda used ethnic stereotyping and repeated media calls for the extermination of Tutsis. Tutsis were called cockroaches (*inyenzi*) and snakes. In the late 1990s, the International Criminal Court convicted radio journalists for inciting Hutus to murder Tutsis and opponents of the Hutu regime. In Rwanda, it was words that killed.
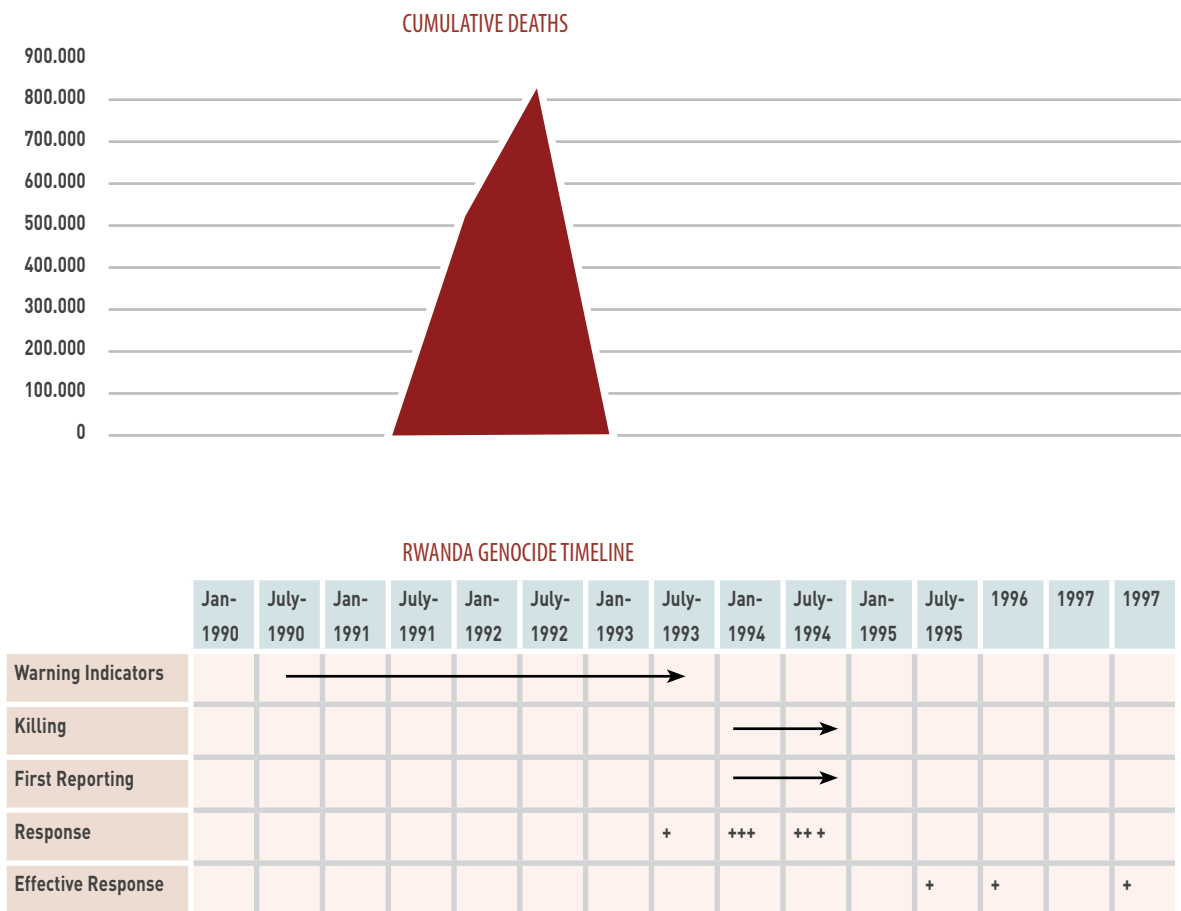
Figure 3. Timeline for Genocide in Rwanda

CUMULATIVE DEATHS

900.000	
800.000	
700.000	
600.000	
500.000	
400.000	
300.000	
200.000	
100.000	
0	

RWANDA GENOCIDE TIMELINE

	Jan-1990	July-1990	Jan-1991	July-1991	Jan-1992	July-1992	Jan-1993	July-1993	Jan-1994	July-1994	Jan-1995	July-1995	1996	1997	1997
Warning Indicators		→						→							
Killing									→						
First Reporting									→						
Response								+	+++	+++					
Effective Response												+	+		+

Table 2. Genocide Timeline: Warning Signs in Rwanda

1990 Dec	Rwanda
	Hutu paper publishes "Ten Commandments of Hutu" "we consider a traitor any Hutu who marries a Tsotsi women"
	Rwandan Patriotic Front gains ground against Hutu government forces
Nov 1993	Senior member Rwandan President's party: "Wipe them all out!"
Dec 1994	High ranking Hutu offices send UN commander letter warning of massacres
	UN NYC fails to respond
Feb	Rise in political assassinations
April	Hutu radio names Tutsi "cockroaches" as target
	Hutu gunmen murder politicians, Prime Minister, UN peacekeepers

Hutu militia slaughtered
800,000 Tutsi men, women, and children in 100 days,
beginning April 6th 1994

The recognition that there is a cause-effect relationship between hate language and incitement and violence, notably genocide, dates back to the Nuremberg Trials after World War II, when Julius Streicher was convicted and executed for propagating virulent anti-Semitic incitement before and during the Holocaust. Hitler in *Mein Kampf* called the Jews "parasites, plague, cancer, tumor, bacillus, bloodsuckers, blood poisoners, lice, vermin, bedbugs, fleas, racial tuberculosis" on the German body that would supposedly be killed with the "Jewish disease." Nazi propaganda used scenes of rats juxtaposed with stereotypes of Jews, depicted as carriers and purveyors of filth and disease, to induce disgust and revulsion. Dr. Joseph Goebbels, using mass propaganda methods pioneered by Edward Bernays to market cigarettes, used radio and film to mass-market these motifs. (See Figures 4, 5.)

Figure 4. From Bernays's Propaganda for Smoking to Dr. Goebbels

Figure 5. From Dr. Goebbels to Nazi Propaganda

Few know that the same Nazi doctors, notably Dr. Karl Astel, himself a concentration-camp commander, who were leaders in promoting campaigns of mass extermination were also pioneers in promoting antismoking campaigns—during 1940-1944. The goal of both was the same: protecting the health and purity of the master race.

Figure 6. Genocide, Racial Hygiene, and Preventive Medicine: Dr Karl Astel: Antismoking Campaigner and Concentration-Camp Commander

	Germany	US
1930	490	1.4858
1935	510	1.564
1940	14022	1.976
1944	743	3.039

In Figure 6 there is an inset comparing the drop in sales of millions of packs of cigarettes in Nazi Germany—by approximately one-fourth, resulting from the energetic campaigns sponsored by Dr. Astel, to the 33 percent increase in the United States during the same period.

HATE LANGUAGE AND INCITEMENT TO GENOCIDE: FROM NUREMBERG AND RWANDA TO IRAN

Hate language and incitement have been defined as crimes against humanity in the UN Convention on the Prevention and Punishment of the Crime of Genocide and in the Rome Statute of the International Criminal Court, based on the evidence amassed during the Nuremberg and Rwandan trials on the cause-effect relationship between hate language and incitement and hate crimes and mass atrocities.

The fact that Iran's leaders today recycle the same motifs used by Hitler and Streicher has prompted calls to indict them for incitement to genocide, based on the Nuremberg and Rwandan precedents. Iran's incitement to genocide, using these motifs, dates back to the 1980s and has lasted more than thirty years, or more than twice as long as that of the Nazis, and has resulted in intergenerational transmission of the messages and motifs.

Ahmadinejad: Israel...a "filthy germ" and "savage beast" established by Western states...

Mohamed Ali Jafari: top commander in Iran's Revolutionary Guard called Israel a "cancerous germ"...[to be] wiped out by Hezbollah.

(Far News Agency) Iranian television

"In the near future, we will witness the destruction of the cancerous germ of Israel by powerful and competent hands of the Hezbollah combatants."

Today the Internet is flooded with dehumanizing jihadist rhetoric describing Jews and Zionists as "sons of apes and pigs." This rhetoric is aimed at inciting the jihadists' followers to commit genocidal terror and genocide.

APPLYING EPIDEMIOLOGIC MONITORING: AN INCITEMENT AND CULTURE OF PEACE INDEX

Can epidemiologic methods be applied to track and monitor incitement from various sources over time? An Incitement and Culture of Peace Index developed by researchers in Israel's Ministry of Strategic Affairs provides evidence that in the Palestinian Authority, substantial segments of the population are regularly exposed to bigotry, hate, dehumanization, demonization, delegitimization, and defamation against Israelis, the Zionist movement, and Israel. But, occasionally, there are positive statements promoting peace and tolerance. The database for the index is compiled from statements by the chairman of the PA, PA and Fatah officials, official core documents of the PA, educational materials, religious messages, media sources, and Internet and other cultural sources. (See Table 3, Figures 8 and 9.)

Table 3. Examples of PA Statements and How They Are Scored*

	Explicit incitement to violence and terror	**Encouragement** of an atmosphere of violence and terror	Incitement to hatred and **demonization**	Non**preparation** of the public for peace
Chairman of the PA	**Explicit (1+)**			
10th Report, January-March 2012	*Interview with President Mahmoud Abbas:* **Die Zeit:** "Why are you continuing with negotiations?" **Abbas:** "We have no choice. **We will never return to the armed struggle! Never! There will be only peaceful resistance to the occupation....** Such a thing [the intifada] must never be repeated. **We want peace; therefore we must take responsibility for Israel's security:** five years without a single unfortunate incident! Why does the other side not understand this?..." [Palestinian News and Info Agency (WAFA), January 31, 2012]			
Religious messages	**Explicit (-2)**			
10th Report, January-March 2012	"PA mufti Muhammad Hussein comes to the podium and says: 'The Hour [of Resurrection] will not come until you fight the Jews. The Jew will hide behind stones or trees. Then the stones or trees will call: "Oh Muslim, servant of Allah, there is a Jew behind me, come and kill him." Except the *gharqad* tree [which will keep silent].' Therefore it is no wonder that you see g*harqad* [trees] surrounding the [Israeli] settlements and colonies." [PA TV, January 9, 2012] http://www.youtube.com/watch?feature=player_embedded&v=kDoV8ZL9Xkc			
Official core documents of the PA	**Explicit (-7)**			
10th Report, January-March 2012	**Palestine National Charter** Article 9: "Armed struggle is the only way to liberate Palestine. This is the overall strategy, not merely a tactical phase...." [Note: The **Palestine National Charter** appears on the following websites: **PLO—Refugee Affairs Department:** http://plord.ps/ar/index.php?act=Show&id=500 **PLO Executive Committee—National Office for Defense of the Land and for Resistance to the Settlements:** http://www.nbprs.ps/page.php?do=show&action=plo4]			

|	
Media	**Encouragement (-7)**
11th Report, April–June 2012	PA TV broadcast a documentary about terrorist Abu Jihad to commemorate the anniversary of his death. The documentary included footage of Abu Jihad planning large-scale terror attacks against Israel: "When we get there, Allah willing, we will begin to fire, to fire on our enemy. We will dig in his throat and heart with the massacres that we spoke about. We want to turn the Tel Aviv day black…." Narrator: "[Abu Jihad] was the mastermind of the armed struggle against Israel. He is a symbol of Palestinian armed struggle…." [PA TV, April 16, 2012] http://www.youtube.com/watch?v=3aPG4MkhhZs
PA and Fatah Officials	**Demonization (-5)**
11th Report, April–June 2012	*Live broadcast: Opening of the first Forum for Arab Women Sports Journalists, in the presence of PA prime minister Salam Fayyad and PA chairman of the Palestinian Olympic Committee Jibril Rajoub:* Rajoub: "I say also—and on behalf of Palestine: something that has no place in the dictionary of Palestinian sportsmen is the subject of normalization with the occupation. Impossible, impossible, impossible…. I understand by normalization that the relationship between me and you will be normal, that we'll play [sports] together and there'll be a joint program. I say to you: under no circumstances will there be normalization. Next time we are prepared to bring the Executive Committee in helicopters…so they will see no Jews, no Satans, no Zionist sons of bitches. Come by helicopter and go back by helicopter." [PA TV (Fatah), May 17, 2012] http://www.youtube.com/watch?v=PyliMiuokaU&feature=player_embedded
Education	**Demonization (-7)**
11th Report, April–June 2012	"By your life! How is it that snakes invade us and we still observe a protection covenant [*dhimma*] that respects commitments?" *Arabic Language*, Grade 12 (2010), p. 61
Internet	**Preparing (-1)**

11th Report, April–June 2012	*The PLO Refugee Affairs Department and the Higher National Committee for Reinvigorating the Commemoration of the Nakba published an action plan for Nakba Day and related events:*
	"1. On the educational and propaganda levels:… To contend with the Israeli people and to reveal their imperialist and terrorist plans and aims that they achieve through killing, destruction, immigration, arrests, appropriation of land, the Judaization of Jerusalem, and attempts to erase the Arab-Palestinian existence within the land occupied since 1948, the settlements, and the racist separation wall and particularly the celebration of **their fabricated state** that arose on the lands and properties of our Palestinian people…"
	[The document can be found on the committee's website "Right of Return"]
Culture and other	**Preparing (-6)**
11th Report, April–June 2012	*Music video on PA TV: Jaffa, Acre, Haifa, and Nazareth are ours*
	Jaffa, Acre, Haifa, and Nazareth are ours. Muhammad, sing about the Galilee and the Golan. Jaffa, Acre, Haifa, and Nazareth are ours. Kabha, sing about the Galilee and the Golan. From Bethlehem to Jenin is Palestinian, Ramle, Lod, and Sakhnin are Palestinian. Nowhere is more beautiful than Jerusalem; no matter how much we travel from Safed to Al-Badhan is Palestinian; Tiberias and Ashkelon are Palestinian.
	[This song originally aired on May 13, 2011, and was rebroadcast on June 24, July 14, July 15 (twice), August 20, September 2, 2011, and again on January 5, 8, February 25, March 19, and April 6, 2012]
	http://www.youtube.com/watch?v=PyliMiuokaU&feature=player_embedded

Source: Kobi Michael, Incitement and Peace Culture Index. Cited in Yael Stein, Elihu D. Richter, and Rony Blum, "Incitement and Hate Language, Hate Education, and Their Role in Promotion of Violent Conflict and Atrocity Crimes: An Epidemiologic Perspective," monograph in press, Jerusalem Center for Public Affairs.

This incitement recycles centuries-old stereotypes that predate the Arab-Israeli conflict, and were reinforced by both Nazi and Soviet anti-Semitic propaganda.

Populationwide exposure in Palestinian society begins with messages many young children may hear from their parents at home and in kindergartens, as well as subtle messages of hatred and stereotypes embedded in elementary and high school textbooks, in poetry and popular songs. More exposure occurs in informal educational settings such as summer camps, youth movements, and places of worship. The exposures continue in colleges and universities, and are prevalent in the written and broadcast mainstream media (radio and TV), on the Internet, in social media, and in the general cultural environment of the PA. The situation is, of course, much worse in Hamas-ruled Gaza.
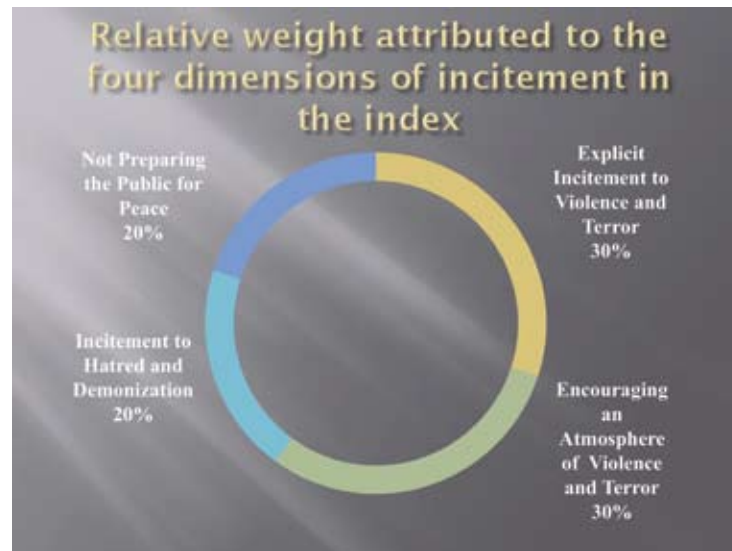
Currently, many Palestinian children are still taught that Israel is an illegal colonialist regime stealing their land, and that they must stand firm for the "right of return" to pre-1948 villages their families lived in. The Palestinian curriculum does not offer children a positive narrative depicting Israel as a nation or Jews as individuals. Schoolbook maps and formal PA symbols delegitimize by showing a region with no Israel. These messages have to be regarded as explicit incitement to violence and genocidal terror when linked to messages characterizing terrorists killed in terror attacks with the specific aim of killing Israeli civilians as heroes (*shahid*s—martyrs) to be emulated.

Figure 9. Incitement Trends in the Palestinian Authority
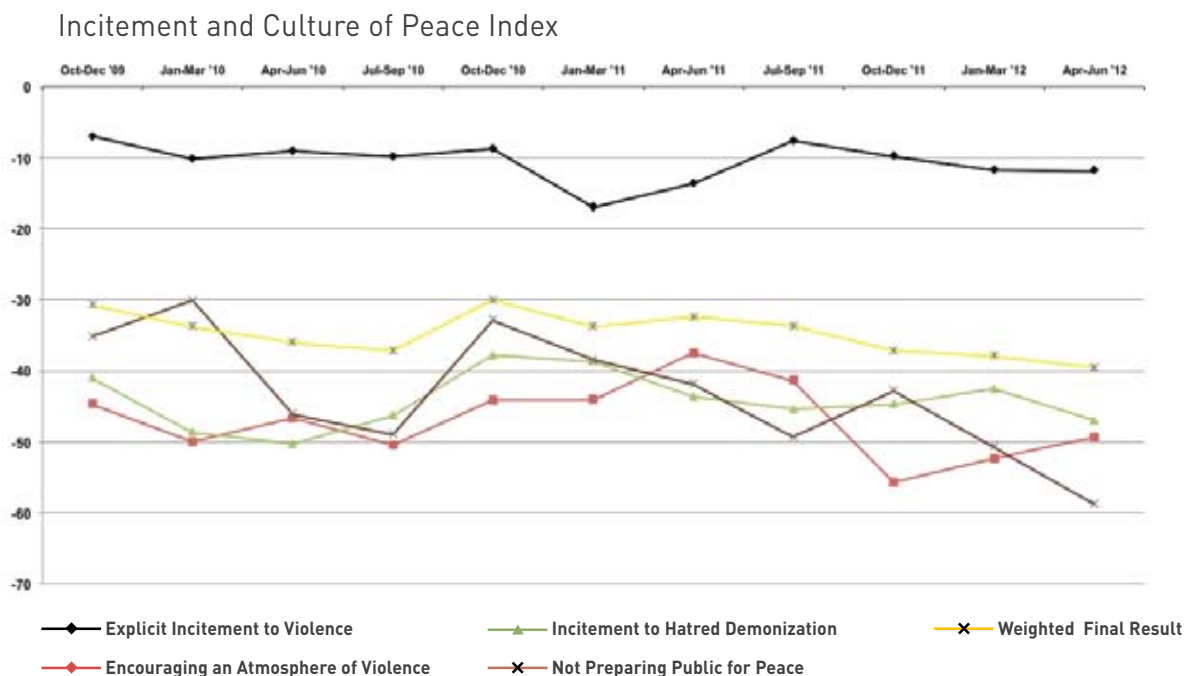
We suggest that what is called "economic peace" cannot be expected to override the negative impacts of such populationwide incitement and of intergenerational transmission of these messages. Furthermore, we suggest that no peace agreement can be sustainable without an end to such incitement.

REDEFINING THE UNACCEPTABLE

If societywide incitement and hate language predict violence and conflict, then epidemiologic models suggest that their prevention, together with the promotion of models of what is called positive deviance, can eventually reverse the incitement→violence relationship. These epidemiologic models presuppose systems for surveillance modeled after the grid shown here.

The ultimate test of the hypothesis that stopping incitement will stop violence is—to test it. Table 4 presents a grid for regionwide tracking of incitement and hate language, based on surveillance models for other hazards and exposures from public health and environmental medicine.

Table 4. Incitement Kills: Grid for Surveillance and Matrix

	Political statements	Diplomacy	Media	Texts/ Education-al milieu	Places of worship	Other
PA (sec., relig.)						
Gaza						
Syria						
Saudi Arabia						
Iraq						
Iran						
Egypt						
Jordan						
Turkey						
IL and EU						

The industrialist Geoffrey Vickers used the term "redefining the unacceptable" to define tipping points in the history of public health, in which society abruptly decided to no longer accept conditions present for centuries that were sources of filth and disease. He first applied the term to the Sanitary Revolution in mid-nineteenth-century Great Britain, which aimed to provide potable drinking water along with public sewerage systems. In our view, hate language and incitement are the most hazardous populationwide exposures in the Middle East.

In light of their horrific effects throughout the Middle East and elsewhere, especially on the young, it is essential to redefine endemic, societywide hate language and incitement as unacceptable.

THE CASE FOR ACTION

The adage that "sticks and stones will break my bones, but names will never hurt me" ignores the role of names—that is, words, in motivating others to use machetes, rifles, machineguns, rockets, and missiles.

Words kill. If incitement predicts terror and violence, then their prevention requires preventing incitement—that is, a policy of **Zero Tolerance for Incitement** (ZT4I). Epidemiologic models of the cause-effect relationships between incitement and genocide and genocidal terror indicate that bystanders to such incitement share responsibility for the violence it engenders. There is, then, a need for surveillance and action against hate language and incitement everywhere.

Now is the time to take the necessary educational, legal, and administrative measures to eradicate official hate language and incitement. If not now, when?

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ENDNOTES

Helpful sources for this article include: R. Blum, G. H. Stanton, S. Sagi, and E. D. Richter, "'Ethnic Cleansing' Bleaches the Atrocities of Genocide," *European Journal of Public Health* 18, 2 (2008): 204-209; Hebrew University-Hadassah Genocide Prevention Program, "Recommendations to the UN, other major international organizations and governments: Indict Mahmoud Ahmadinejad, president of Iran, for Incitement to Commit Genocide—a Crime against Humanity; and impose immediate sanctions against the government of Iran to prevent Iranian development of nuclear weapons," January 5, 2006, http://spme.net/cgi-bin/articles.cgi?ID=359; E. D. Richter, "Commentary: Genocide: Can We Predict, Prevent, and Protect?" *Journal of Public Health Policy* 29, 3 (2008): 265-274; Elihu D. Richter, Yael Stein, and Alex Barnea Burnley, "Can We Prevent Genocide by Preventing Incitement?," Kelvin Smith Library, Case Western Reserve University, Cleveland, OH, 2009, http://hdl.handle.net/2186/ksl:riccan00/riccan00.pdf.

INCITEMENT TO TERRORISM IN INTERNATIONAL LAW*

Yaël Ronen

In September 2005, two months after the 7/7 London bombing, the United Nations Security Council adopted Resolution 1624, dedicated to countering the incitement of terrorist acts motivated by extremism and intolerance. This is the first universal instrument that squarely addresses the issue of incitement to terrorism in terms of criminal law. It represents the third generation of international measures against terrorism. From criminalization of specific conduct from the 1960s to the 1990s, through measures to curb the financing of terrorism, international attention is gradually turning to the sociological aspects of terrorism prevention.

Resolution 1624 was supplemented in 2008 by a report of the UN Secretary-General that offered preliminary guidelines for implementing the resolution in light of human rights law.

This article highlights and critiques some of the basic principles reflected by the resolution and the UN Secretary-General's guidelines, in order to enable an appreciation of the Draft International Convention for the Prevention of Incitement to Terror proposed by Ambassador Alan Baker. I will also refer to another instrument adopted in 2005, the Council of Europe Convention on the Prevention of Terrorism, which has since been also incorporated as an EU directive.

First, however, I would like to make some remarks about the very notion of criminalizing incitement to terrorism.

ON THE NOTION OF CRIMINALIZING INCITEMENT TO TERRORISM

Is criminalization of incitement an effective tool against terrorism? The assumption that terrorism can be curbed if its incitement is effectively repressed is largely a factual conjecture. The international and domestic legal offensive against inciting speech does not rely on any empirical information as to the causal determinants of terrorism, or as to whether prohibiting incitement is a rational response, capable of countering terrorism.

Incitement may be vital for the success of the terrorist campaign. This is the case when terrorism takes on a wide, decentralized scope, as is the case with groups such as Al-Qaeda, and large-scale mobilization is vital for sustaining it. Moreover, when terrorism is mobilized not against any real cruelty or repression felt immediately by the potential perpetrators, but to advance an abstract ideal, engaging people to serve it is not assured. Since people

do not act on their own initiative in furtherance of abstract goals, they need to be imbued with a sense of rage and hatred to an extent that they would be willing to take violent action that puts themselves at risk. This is what incitement provides. This is also why prevention of incitement may be an effective tool to prevent the terrorist acts themselves.

On the other hand, the perception of terrorism considered here is very specific. It is the terrorism that Western states are currently grappling with, which is based on extremist ideologies that do not always even have a clear objective. But this is not the only type of terrorism that can be envisaged. Indeed, until the 1990s "terrorism" was often associated with political liberation and socioeconomic revolutionary movements. Examples include the German Rote Armee Fraktion (Baader-Meinhof Group), the Peruvian Sendero Luminoso, or the Japanese Aum Shinrikyo (Aleph), not to mention Hizbullah and Hamas. These all clearly reflect a different type of conduct: limited in geographic and contextual scope, and less dependent on wide-scale dissemination of the group's ideas. For example, it might feed more easily on individual enrollment of members than on mass recruitment. Moreover, the motive for familiar, old-fashioned terrorism could arguably be the acquisition of immediate benefits, in which case there is much less need for a persuasive campaign to mobilize people. Whether incitement is a necessary condition for this type of terrorism is not clear.

So it is important to acknowledge that the current trend in combating terrorism is informed by the motives for that terrorism. This might be a dangerous path, when a generally applicable measure is adopted with only one type of the phenomenon in mind.

ELEMENTS OF THE CRIME

Resolution 1624 calls on all states to prohibit by law incitement to commit a terrorist act or acts. It also stresses that measures taken to implement the obligation to criminalize incitement must comply with their international human rights obligations, particularly freedom of speech.

To prevent abuse of the criminal prohibition on incitement to terrorist acts in order to repress legitimate speech, a clear delineation is required of the scope of speech that may be prohibited and of the circumstances in which it may be prohibited.

The different instruments provide a variety of models in this respect. It is worth considering three components of these models: the "terrorism" component, the type of prohibited speech, and the probability of harm.

Resolution 1624 speaks of incitement to "terrorist acts." Specific acts associated with terrorism have been declared offenses under international treaties. But the reference in the resolution to "terrorist acts" rather than "terrorist offenses" suggests that it was not intended to restrict the prohibition to those offenses already established under international law. The Secretary-General's guidelines also speak of "terrorism" rather than of "terrorist offenses." This is a relatively wide scope of target conduct.

On the other hand, Resolution 1624 distinguishes between direct and indirect incitement (*apologie* is loosely defined as the praising of perpetration of a terrorist act). The resolution "repudiates attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts" but calls on states to criminalize only direct "incitement." The Secretary-General's guidelines expressly reject the criminalization of *apologie*.

In this respect, Resolution 1624 and its interpretation by the Secretary-General are disappointing. Modern terrorism, by which the resolution is informed, is dependent on winning hearts and minds. This is done by persistent, pervasive vilification and disparagement of the victim, not by direct calls for action, at least not at the early stages. In order effectively to prevent this process, the prohibition must encompass more than direct calls. Accordingly, the type of speech that may be prohibited under the resolution is so narrowly defined that the resolution may fail to address the phenomenon for which it was tailored.

Contrast this, for example, with the 2005 Council of Europe Convention, which criminalized "provocation"—both direct and indirect advocacy of terrorist offenses. This convention, therefore, at least permits the prohibition of any message that is intended to incite the commission of offenses—including praise of perpetration, denigration of victims, calls for funding for terrorist organizations, and presentation of a terrorist offense as necessary and justified.

But the convention speaks of "terrorist offenses," that is, a narrower category of conduct than the resolution. There is, then, a tradeoff between the two elements of criminal speech: where terrorism is defined more narrowly, incitement is defined more widely.

Ambassador Baker's draft speaks of "an act of terror" and even of "violence against an ethnic group." This is obviously a much wider category of speech than in either Resolution 1624 or the Council of Europe Convention.

Ambassador Baker's draft also calls for criminalization of both direct and indirect advocacy of terrorism. In other words, it calls for a wide criminal prohibition on an extremely wide category of speeches. It thus requires, or at least permits a very wide criminal offense. The question is whether this is balanced by additional requirements that guarantee freedom of speech.

This brings us to the third element in the balance, namely, the requirement of probable harm for speech to be criminalized.

Resolution 1624(2005) does not require any measure of probable harm. Why is the resolution silent? I would like to consider two potential explanations—and reject both as insufficient.

According to the first explanation, the potential for harm is inherent in the speech itself, independently of external circumstances. This would be the case where the potential harm is so grave that even a low probability of its materialization would justify a prohibition, and where the harm may be inferred from the content of the speech.

An example of this approach is that of the prohibition on direct and public incitement to genocide. Genocide has been labeled "the crime of crimes." When the incitement is public and direct, the risk of genocide materializing can be inferred with sufficient certainty from the speech itself. And even a low risk of it materializing would justify prohibiting the speech.

Does this argument apply also to terrorism, so that direct and public incitement to terrorism should be prohibited altogether?

First, how grave is terrorism? In terms of the harm to bodily integrity, it is less injurious to human lives than genocide. That, however, is not the point. The harm in terrorism is in the sense of terror and the extortion of states. It is in the attempt to undermine the operation of acceptable mechanisms of governance, and even to replace the existing secular, Westphalian state system altogether.

Thus, in the case of extremist religious terrorism, it might indeed be grave enough to justify a presumption of harm.

Nevertheless, a presumption of harm can at best be sustained if the incitement is direct. If the prohibition covers indirect incitement, as is the case in the Council of Europe Convention and Ambassador Baker's draft, a higher threshold of probable harm should be required.

A different explanation for the absence of probable harm is that the incitement is harmful not merely because of the risk that a terrorist act be carried out, but because of the immediate effect of the speech. This is in fact the rationale for prohibiting discriminatory and racist speech: it acknowledges that the harm in incitement is immediate. Again, in the case of genocide, for example, there is a clear overlap with discriminatory speech.

Terrorism and discrimination, however, are separate issues, although the Secretary-General's guidelines suggest a linkage between the two (noting that "proscription of incitement to terrorism could also be considered as an integral part of ensuring national security and public order through a strict prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence").

Ambassador Baker's draft also suggests a link between terrorism and discrimination. It specifically mentions ethnic and racial hatred in the preamble, drawing partly on Resolution 1624 but also on the Durban Review Conference against racism. The introduction specifically refers to anti-Semitism. And it defines incitement not only by reference to terrorism but also by reference to "violence against a religious, national or ethnic group" (Article 1(4)(d)).

This linkage reflects the same specific perception of terrorism noted before, namely an ideological conflict between civilization groups. But neither the resolution nor Ambassador Baker's draft is limited to such terrorism. Therefore, the assumption of immediate and inherent harm is inappropriate.

In view of my conclusion that there is no basis for automatically assuming a level of harm that justifies prohibiting speech, it is appropriate that the UN Secretary-General's guidelines, the Council of Europe Convention, and Ambassador Baker's draft all make the prohibition of incitement to terrorist acts dependent on a certain probability that the terrorist act will occur.

The Secretary-General's guidelines provide that incitement is a speech that "is directly causally responsible for increasing the actual likelihood of a terrorist act occurring," and that it "is likely to result in criminal action."

The Council of Europe Convention and Ambassador Baker's draft prohibit speech that "causes a danger that" a terrorist offense or act may be committed.

Given that these instruments call for criminalizing speech very widely, including indirect speech, for example, this threshold has been criticized as excessively low. It may be applicable in Europe, where there is some internal consensus on human rights restrictions. But at the universal level, at which Ambassador Baker's draft operates, it is much too open to abuse. So here I suggest that a higher probable harm must be demanded for the criminalization of incitement to be legitimate.

The following table summarizes the different standards.

	Resolution 1624	Council of Europe Convention	Ambassador Baker's draft
Conduct	Terrorist act	Terrorist offense	Act of terror or violence against an ethnic group
Speech	Direct incitement	Direct or indirect	Direct or indirect
Probable harm	"directly causally responsible for increasing the actual likelihood," and "likely to result in…"	Causes a danger that…	Causes a danger that…

The standards that are more speech-restrictive are colored dark yellow. The table illustrates that in Resolution 1624 and the Council of Europe Convention, there is a tradeoff between the type of speech, the type of target conduct, and the probability of harm. Ambassador Baker's draft opts for the lower standard for prohibition on all three counts. I would also be surprised if Western states subscribe to this formula. There is already criticism within Europe that their own formula is too speech-restrictive. For the United States this seems utterly unrealistic. I would caution against a formula that might serve states that attempt to repress legitimate speech under the guise of preventing incitement to terrorism.

CONCLUSIONS

First, concerning linkage, the linkage between terrorism and extremist ideology may result in the use of "terrorism" as a cover for prohibiting hate speech. Although it might be a good idea to prohibit hate speech, the route through terrorism is unnecessary and therefore dangerous.

Second, concerning fragmentation, the focus on a specific manifestation of terrorism (e.g., fundamentalist religious vs. political) may appear reminiscent of the general strategy of international action against terrorism. However, the piecemeal fashion of dealing with terrorism in the past was rooted in political controversy, not a legal one. The fragmented treatment of a criminal offense of incitement may have substantive consequences, that is, blanket prohibitions on speech that are justified only in specific circumstances. This carries a risk that the battle against terrorism be used as a cover for abuse of power.

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ENDNOTES

* This lecture draws on my article "Incitement to Terrorist Acts and International Law" 23 *Leiden Journal of International Law* 645-674 (2010).

PALESTINIAN INCITEMENT AS A VIOLATION OF INTERNATIONAL LEGAL NORMS*

Alan Baker

One of the central and essential requirements for achieving and sustaining meaningful, peaceful, and trusting relations between peoples is the mindset, the will, and the psyche of peace—the mutual trust and respect that must exist between peoples at all levels, both among the leadership and the general public.

Peace cannot be made through the signing of treaties and agreements only. It has to be ingested into the public psyche and nurtured in every aspect of day-to-day life.

Tragically, the extreme anti-Israeli and anti-Semitic indoctrination that is so pervasive at all levels of Palestinian society has inevitably led to violence and terror, and undermines any hope for peaceful relations between the two peoples.

The extent of such incitement has been aptly summarized in a document published by Israel's Foreign Ministry:

> The Palestinian education system, media, literature, songs, theater and cinema have been mobilized for extreme anti-Israel indoctrination, which at times degenerates into blatant anti-Semitism. This incitement to hatred and violence is pervasive in Palestinian society, particularly in the Hamas-controlled Gaza Strip. It exists in nursery schools and kindergartens, youth movements, schools, universities, mosque sermons, and street demonstrations.

> Incitement against Israel has many faces. It begins with the complete denial of the very existence of the State of Israel. Maps in schools and universities do not even bear the name of Israel, nor a large number of its cities and towns.

> Palestinian officials and religious leaders frequently deny the thousands of years of Jewish connection to the Land of Israel. By repudiating Jewish history (and the New Testament as well), the Palestinian leadership is promoting a narrative that disavows any Jewish rights to the Jewish historical homeland. Peace cannot be achieved as long as the right of the Jewish people to their own nation-state in their native land is denied.

> Incitement is also characterized by the hero worship of terrorists. Inciters extol the deeds of suicide bombers, name schools and football teams after them, and hold them up as models to be emulated.[1]

One can only assume that such an atmosphere prevailing in Palestinian society would produce individuals who would willingly and willfully take their hatred to the active level of terror acts against Israelis, as indeed happened recently in the bestial killing of an entire family, including a four-month-old baby, in Itamar on March 11, 2011.

What mindset, context, or circumstances could possibly have driven a person to carry out such acts of blatant murder, homicide, and infanticide? Sheer blinding hatred? Religious fervor overriding any sense of decency or humanity? Or perhaps some other driving force that turns a human being into the basest of animals? How, in any possible prevailing background scenario of hostility, rage, hatred, or religious fervor, could a person be driven to such inhuman extremes?

In attempting to answer such questions in the context of the Palestinian reality and within the realities of Muslim society, one need only reflect on the long and sad history of the use of incitement in such societies as a means of manipulating the masses, the "believers," the "faithful," or any other social or religious grouping against the "infidel," the "nonbeliever," or the Jew.

Incitement in the Arab world has played a central role over the years in directing the opinions of society and molding the actions of the community, whether in the local village context through calls by religious and civil leaders, or in the more modern and wider national context of the electronic media, television, and the Internet.

EARLY USES OF INCITEMENT

The history of the use of incitement by the ruling Arab authorities in Mandatory Palestine in 1920, 1929, and 1936 is well documented and includes intentionally-initiated bloody riots, massacres, and pogroms against Jews.

Haj Mohammed Effendi Amin el-Husseini, the Grand Mufti of Jerusalem during the 1920s and 1930s, was one of the most influential and powerful leaders in the Islamic world. He instigated and organized Muslim riots against Palestinian Jews that resulted in hundreds of deaths. He was tried and convicted by the British Mandatory authorities in April 1920 of inciting riots against Jews in Jerusalem.

In *A History of Israel*, historian Howard M. Sachar relates how the Mufti played a key role in the bloody anti-Jewish riots of 1929:

> On the night of August 23 and the next morning, crowds of Arabs armed with weapons poured into Jerusalem. The newcomers gathered near the mosque courtyard to be harangued by the Mufti. Then, at noon, the mob attacked the Orthodox Jewish quarters, and violence spread rapidly to other parts of Palestine. In the late afternoon Arab bands descended on the Orthodox Jewish community of Hebron, murdering sixty and wounding fifty inhabitants.... [A British committee of inquiry] found the Arabs responsible for the violence and apportioned "a share in the responsibility for the disturbances" to the Mufti and individual members of the Arab Executive.[2]

Similarly, in *Righteous Victims*, historian Benny Morris recalls:

> In August of 1929, Arabs instigated violence in the Jerusalem area that spread to most of Palestine. The violence began in Jerusalem and soon spread to Hebron,

Motza, and Safed, all old Jewish communities in Palestine that supposedly lived in harmony with their Arab neighbors, rather than Zionist settlements.

The principal instigators were Haj Amin El Husseini and Aref el Aref. Aref el Aref, along with Husseini, had been responsible for previous riots. He had now been appointed district officer of the Beersheba district. Aref el Aref paid a visit to Hebron shortly before the riots and preached an inflammatory sermon on Thursday, August 22. Rumors were spread that the Jews had killed Arabs in Jerusalem, that the Jews had burned down the Al-Aqsa mosque (supposedly this was documented with a fake photo) or that the Jews were planning to build a synagogue near the wailing wall.

Beginning about 3 PM on Friday, August 23, there was agitation in Hebron. People returning from prayers in Jerusalem were claiming that the Jews were killing Arabs there. Arabs began stoning the Hebron Yeshiva. An orthodox Yeshiva student tried to leave the Yeshiva building and was stabbed to death.

The riots began in earnest, however, on the morning of Saturday, August 24. Arabs killed 64 to 67 Jews in Hebron and wounded many others. Babies were beheaded. Old rabbis were castrated. There were incidents of rape, torture and mutilation. Hands and fingers were torn off bodies, apparently for jewelry.[3]

A more recent example of the explosive potential of Arab incitement was the worldwide response by Muslims to the publication of twelve editorial cartoons, most of which depicted the Prophet Muhammad, in the Danish newspaper *Jyllands-Posten* in September 2005. This led to Islamic protests across the Muslim world, some of which escalated into violence including setting fire to the Danish embassies in Syria, Lebanon, and Iran, storming European buildings, and burning the Danish, Dutch, Norwegian, French, and German flags in Gaza City.

As reported in the media:

At least 200 people—most of them Muslims—died in anti-Danish and more generally anti-Western and anti-Christian protests in various Muslim countries where the cartoons were republished (in a minority of cases), or as a result of television and press reports. Some were killed by police trying to control the demonstrations, others—as in the case of Nigeria—in clashes between Muslim and Christian mobs that broke out after demonstrations against the cartoons. In the Middle East a commercial boycott led to the removal of Danish goods from supermarket shelves: Arla Foods, one of the larger companies, estimated its losses in 2006 at $223 million. Danish embassies and consulates were attacked and burned in Syria, Lebanon, Afghanistan, Iran, Pakistan, Nigeria, and Indonesia.

After Yousuf al-Qaradawi, the Muslim Brotherhood preacher and host of a popular show on al-Jazeera television, called in February 2006 for a public "day of rage" against the cartoons, the riots escalated into generalized attacks on Western targets. To add fat to the fire, there were reports that Danish Neo-Nazis, in implicit collaboration with Muslim activists, were planning a public burning of the Quran (although in the event they were intercepted by Danish police). In Damascus, protestors torched the Norwegian as well as the Danish missions. And in Libya, where demonstrators stormed an Italian consulate, at least nine people died.[4]

MASS MEDIA AND PRESENT-DAY PALESTINIAN AND ARAB INCITEMENT

Incitement of a particular community—of attendees at mosques, of the younger generations through the education system in kindergartens, schools, and colleges, and incitement and manipulation of the general adult community through the electronic media—has become one of the major tactical weapons in the arsenal of Arab societies in general and the Palestinian leadership in particular.

Similarly, and no less powerful, the growing trend to officially glorify terrorists through posting their pictures in classrooms, dedicating streets or public squares to them, and repeatedly airing songs and videos glorifying such people, clearly constitutes an integral component of the more subtle use of incitement to manipulate the mindset of the Palestinian public.

But while such incitement in the past, and before the era of mass media and the Internet, had been relatively local in scope and largely restricted to specific communities of mosque attendees at Friday-morning prayers, the industry of mass use of incitement to manipulate and influence millions has now become a realistic and caustic weapon. Spreading unfounded rumors by word of mouth from village to village is no longer necessary when a tool like Al Jazeera has the capability to incite millions through televised images and nuanced reporting, all intended to rouse anger and hatred and cause riots, violence, and terror among a public that has the capacity and propensity to be incited and to turn to violence, all this with the ostensible blessing of the religious authority instigating the incitement.

While some in Western societies might in the past have preferred to look down on localized incitement as an acceptable trait of religious culture in nondemocratic, archaic, or feudal societies, and even as a form of freedom of expression, the international community can no longer dismiss modern incitement as such.

As observed by Robert S. Wistrich, professor of Jewish history at the Hebrew University of Jerusalem and head of its Vidal Sassoon International Center for the Study of Anti-Semitism:

> Popular and influential mass media bring this kind of incendiary incitement daily into countless Arab homes; TV stations, including Al-Jazeera, reinforce on a regular basis the image of a demonic Israel that not only criminally murders defenseless Arab children, but deliberately spreads drugs, deadly viruses, vice, and prostitution into the Arab world or tries to poison Palestinian food and water.

> *The Protocols of the Elders of Zion*, the most notorious anti-Semitic fabrication in history, has long been a best-seller in the Arab world. In 2002 it was "dramatized" for Egyptian television in a multimillion-dollar blockbuster series, "Horseman without a Horse," that was screened during Ramadan. No less appalling, a year later, was the hideously anti-Semitic Syro-Lebanese TV series "Al-Shattat (the Diaspora)," which included revolting scenes reconstructing the "blood libel" calumny as if it were a normal Jewish ritual practice. Indeed, the medieval European myth that Jews murder Christian children and use their victims' blood for Passover matzot is extensively propagated and widely believed in the Arab world.

> It has become "normal" over the past four decades to see Israeli leaders from

Golda Meir and Moshe Dayan to Ariel Sharon, Ehud Barak, and Ehud Olmert stigmatized as monsters in Nazi regalia, hands dripping in blood or bathed in a halo of swastikas.

Such anti-Jewish toxins are not merely a by-product of the Arab-Israeli conflict. They derive from traditional Islamic sources as well as bathing in longstanding anti-Semitic stereotypes, images, and accusations of European Christian origin. The tone is particularly vicious, scurrilous, and often blood-curdling in its incitement to violence.

The following words of the prominent Saudi Sheikh Abd Al-Rahman Al-Sudayyis, Imam at the Ka'aba mosque in Mecca (the most important shrine in the Muslim world), are representative of thousands of such sermons regularly broadcast across the Arab world: "The Jews of today [are] evil offspring, infidels, distorters of [God's] words, calf worshippers, prophet-murderers...the scum of the human race whom Allah cursed and turned into apes and pigs."

...The endlessly repetitive demonization of Israeli Jews as "Nazis" has rammed home a vicious hate message to millions of Arabs in the Middle East. Hence it is hardly surprising that the sentiment produced by such crass caricatures should result in a popular song entitled "I Hate Israel," which only a few years ago was a smash hit in Cairo, Damascus, and East Jerusalem. More than that, to judge by the sheer volume of such venomous anti-Semitic manifestations (especially in Egypt) we can say that levels of hostility have increased rather than diminished over time.

Particularly sobering is the fact that Arab theologians, intellectuals, artists, and professional people are so prominent in promoting racist stereotypes of this kind. One finds editors-in-chief of establishment newspapers, authors of best-selling books, deans of university faculties, and other academic "experts" on Israel, Judaism, and the Jews at the forefront of such bigotry. In other words, Arab anti-Semitism is not only a matter of government manipulation, Islamist demagogy, organized propaganda, social backwardness, or raw, primitive hatred—though all of these elements are indeed present. It has cultural and intellectual legitimacy. Moreover, the ubiquity of the hate and prejudice exemplified by this hard-core anti-Semitism undoubtedly exceeds the demonization of earlier historical periods— whether the Christian Middle Ages, the Spanish Inquisition, the Dreyfus Affair in France, or the Judeophobia of Tsarist Russia. The only comparable example would be that of Nazi Germany in which we can also speak of an "eliminationist anti-Semitism" of genocidal dimensions, which ultimately culminated in the Holocaust.[5]

REFERENCES TO INCITEMENT IN ISRAELI-PALESTINIAN AGREEMENTS

The need to avoid incitement and hostile propaganda has from the start of the peace process been recognized and acknowledged by all concerned and deemed essential to achieve any peaceful resolution of the Arab-Israeli conflict. Accordingly, provisions to prevent incitement were included in the various agreements and memoranda signed between Israel and the

Palestinians. Regrettably, such agreed-upon provisions have remained a "dead letter" in the Palestinians' behavior.

» The 1995 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip stipulates in Article XXII, paragraphs 1 and 2, dealing with "Relations between Israel and the [Palestinian] Council":

1. Israel and the Council shall seek to foster mutual understanding and tolerance and shall accordingly **abstain from incitement, including hostile propaganda, against each other** and, without derogating from the principle of freedom of expression, shall take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction.

2. Israel and the Council will ensure that their respective educational systems contribute to the peace between the Israeli and Palestinian peoples and to peace in the entire region, and will **refrain from the introduction of any motifs** that could adversely affect the process of reconciliation.[6]

» Annex VI to the Interim Agreement—Protocol Concerning Israeli-Palestinian Cooperation Programs,[7] in paragraph 4 of the preamble, expresses the agreement of both sides "to meet common challenges which require a coordinated overall approach and, taking into account their respective distinguishing features, they will act with **respect for the values and human dignity of the other side**."

» In Article VII on Cultural and Educational Cooperation, this protocol calls on the sides to focus their educational cooperation on "other ways of promoting better mutual understanding of their respective cultures."

» Article VII of the annex to "The People to People Program":[8]

1. The two sides shall cooperate in enhancing dialogue and relations between their peoples, as well as in gaining a wider exposure of the two publics to the peace process, its current situation and predicted results.

2. The two sides shall take steps to foster public debate and involvement, to remove barriers to interaction, and to increase the people-to-people exchange and interaction within all areas of cooperation described in this Annex and in accordance with the overall objectives and principles set out in this Annex.

» According to the Wye River Memorandum of October 23, 1998, paragraph 3,[9] **the Palestinian side agreed to issue a decree prohibiting all forms of incitement to violence or terror**, and establishing mechanisms for acting systematically against all expressions or threats of violence or terror. This decree was to be comparable to the existing Israeli legislation that deals with the same subject.

In the same vein, the parties agreed that a U.S.-Palestinian-Israeli committee would meet on a regular basis to **monitor cases of possible incitement to violence or terror** and to make recommendations and reports on how to prevent such incitement. The Israeli, Palestinian, and U.S. sides would each appoint a media specialist, a law enforcement representative, an educational specialist, and a current or former elected official to the committee.

» The Middle East Quartet's "Roadmap to a Permanent Solution to the Israeli-Palestinian Conflict" (2003)[10] specifically requires at the outset of implementation of the first phase of

the program that both sides end all incitement against the other by official institutions.

» The need to control incitement was referred to specifically in UN Security Council Resolution 1515 of November 19, 2003, which endorsed the "Roadmap," reiterating the demand for an immediate cessation of all acts of violence, including all acts of terrorism, provocation, incitement, and destruction.

REFERENCES TO INCITEMENT IN INTERNATIONAL INSTRUMENTS

Perhaps the most pertinent international instrument that deals with the scourge of incitement to terror is UN Security Council Resolution 1624 (2005).[11] While this resolution cannot be formally and legally considered applicable to the Palestinian Authority, which is not a state and a member of the United Nations, it nevertheless may be regarded as indicative of the opinion of the international community, and is certainly directed to those states that are directly involved in the negotiation process and that have influence on the Palestinian leadership.

This resolution, in its third and fourth preambular paragraphs, states:

> Condemning...in the strongest terms the incitement of terrorist acts and repudiating attempts at the justification or glorification of terrorist acts that may incite further terrorist acts,

> Deeply concerned that incitement of terrorist acts motivated by extremism and intolerance poses a serious and growing danger to the enjoyment of human rights, threatens the social and economic development of all States, undermines global stability and prosperity, and must be addressed urgently and proactively by the United Nations and all States, and emphasizing the need to take all necessary and appropriate measures in accordance with international law at the national and international level to protect the right to life.

In a similar vein, the first article of the resolution determines the obligation placed by the Council on states:

> Calls upon all States to adopt such measures as may be necessary and appropriate and in accordance with their obligations under international law to:

> (a) Prohibit by law incitement to commit a terrorist act or acts;

> (b) Prevent such conduct;

> (c) Deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such conduct....

The third article of the resolution calls on states:

> to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and to take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance and

to prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters....

The United Nations Global Counter-Terrorism Strategy, adopted as a resolution by the UN General Assembly in September 2006,[12] in its annexed Plan of Action, addressed the issue of measures to deal with the conditions conducive to the spread of terrorism, and referring to incitement, determined "To continue to work to adopt such measures as may be necessary and appropriate and in accordance with our obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct."

ACTUAL INCITEMENT BY THE PALESTINIAN AUTHORITY

Despite the above specific commitments vis-à-vis Israel, and international obligations, the Palestinian Authority continues to deliberately use language intended, whether openly or by intimation, to incite the population through spreading fear and suspicion to harbor sentiments of mistrust, hostility, and hatred toward Israel and Jews.

When a Palestinian prime minister publicly stamps his feet on an Israeli flag, when Palestinian leaders consistently, repeatedly, and publicly question the very legitimacy of Israel's existence and its Jewish heritage in the area, and when Palestinian children, from kindergarten upward, are manipulated through the official Palestinian education system to hate the Jew, to see the Jew as the enemy, and to glorify those who have killed Jews, the resulting effect on the psyche of the Palestinian population is predictable.

A number of recent pertinent examples are indicative of an ongoing, active policy of official Palestinian incitement to fear, hate, and glorification of suicide bombers:

» The Ma'an News Agency reported on May 15, 2010, a decision by the Foreign Affairs and Policy Committee and the National Security Committee of the Arab League "to sever all direct and indirect contacts with Israel in protest of the policy of expulsion Israel carries out in Palestine, the latest decision being the expulsion of tens of thousands of Palestinians living in the West Bank into Gaza, which is a new chapter of ethnic cleansing." The panels referred to two military orders enforced in April that expanded the definition of an "infiltrator," thereby potentially rendering thousands of Gaza residents in the West Bank susceptible to deportation.[13]

The exaggerated use of loaded terms such as "ethnic cleansing," "apartheid," and so on, which bear no relation to the actual acts complained of, is intended to create fear and foment objection, hostility, and violence. It is intended to incite the civilian Arab populations in the West Bank and East Jerusalem to violence in the fear of a perceived (and totally nonexistent) campaign by Israel to rid the West Bank and East Jerusalem of their Arab populations.

» Official Palestinian Authority television chose on March 15, 2010, to repeat a lie accusing Israel of assisting in the arson attack in the Al-Aqsa Mosque in 1969, following an earlier libel that Israel had been involved in the arson and that it was a Jew who started the fire with the Israeli government's help. The libel was revived through a slide broadcast on PA television claiming that "the Jew Dennis Michael set fire to the Al-Aqsa Mosque, with the support of the Jewish government, which cut off the water supply from the neighborhoods

close to the Al-Aqsa Mosque with a view to delaying the operations to extinguish [the fire]."

In fact, a mentally unsettled non-Jewish Australian started a fire in the Al-Aqsa Mosque on August 21, 1969. The fire was extinguished and the damage repaired. Thus, the aim of repeating this lie through official PA television could only have been to increase fear and unrest among the Arab frequenters of the Al-Aqsa Mosque with a view to generating rioting, which indeed occurred.

» The Palestinian Authority regularly sponsors sports events, lotteries, and tournaments for youth named after prominent suicide bombers and other terrorists. Examples include glorifying the first Palestinian female suicide bomber, Wafa Idris, who blew herself up in Jerusalem, killing one and injuring more than 150 on January 27, 2002. As a volunteer for the Palestinian Red Crescent, she was able to bypass Israeli security and enter Jerusalem in a Palestinian ambulance.

The Palestinian Authority has repeatedly lauded Idris and other terrorists, such as Abu Jihad, who headed the PLO's military wing and was responsible for the deaths of dozens of Israeli civilians. Similarly, the lottery for a football tournament was named after Abdallah Daoud, who was responsible for many terror attacks and was one of the terrorists who stormed the Church of the Nativity in Bethlehem in 2002, using the monks and the religious site as shields.[14]

LESSONS TO BE LEARNED

No peace process can be expected to prevail if it is constantly and systematically being undermined by a pervasive policy of incitement and indoctrination, of fear, suspicion, and hatred against the other side, emanating from the highest levels of government, through the religious, social, cultural, and educational system, and down to the youngest and most impressionable.

It is reasonable to assume that a culture of mistrust and hate, fanned by constant religious and public incitement, inevitably leads to violence and terror, and, as such, undermines the concept of peaceful relations. A leadership that openly and officially sanctions and encourages such incitement cannot come with clean hands to the international community and complain about lack of progress in the peace process.

Clearly, the institution of appropriate and effective public machinery within the religious, cultural, and educational infrastructures of the Palestinian Authority is a necessary and urgent requirement in order to monitor and prevent incitement at the public level. But such a policy could only be implemented if the Palestinian leadership were to demonstrate through its own acts, declarations, and behavior a sincere and genuine will to end incitement and halt its use as a weapon, and to live up to the Palestinian commitments in their agreements with Israel. The damage that has been done in molding the minds of countless children and youth to hate Israel, to hate the Jew, and to view terrorists as role models, will likely take many years, and possibly a generation, to mend.

But it has to start somewhere. After the tragic terror attack in the town of Itamar involving the senseless murder of an entire family, it is high time that the Palestinians realize that they cannot play the game of ostensibly seeking peace with Israel while at the same time undermining any chance of achieving peace through a policy of public and official incitement to hatred and terror.

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NOTES

*   This article is based on an earlier article by the author in *Jerusalem Issue Briefs,* vol. 10, no. 32, March 22, 2011.

1   http://www.mfa.gov.il/MFA/FAQ/FAQ_Peace_process_with_Palestinians_Dec_2009#Peace6.

2   Howard M. Sachar, *A History of Israel: From the Rise of Zionism to Our Time* (New York: Alfred A. Knopf, 2007), 175. See also Carl K. Savich, "The Holocaust in Bosnia-Hercegovina, 1941-1945," which describes the Mufti's active involvement with the Nazis: http://forum.b92.net/topic/19222-eiei-konaeno-orden/page__st__90.

3   Benny Morris, *Righteous Victims* (New York: Alfred A. Knopf, 1994), 111-120.

4   See http://en.wikipedia.org/wiki/Jyllands-sten_Muhammad_cartoons_controversy and http://www.nybooks.com/blogs/nyrblog/2011/feb/09/why-are-muhammad-cartoons-still-inciting-vilence.

5   See Robert S. Wistrich, "Islamic Judeophobia: An Existential Threat," http://www.acpr.org.il/ENGLISH-NATIV/02-issue/wistrich-2.htm.

6   http://www.mfa.gov.il/MFA/Peace+Process/Guide+to+the+Peace+Process/THE+ISRAELI-PALESTINIAN+INTERIM+AGREEMENT.htm.

7   http://www.mfa.gov.il/MFA/Peace+Process/Guide+to+the+Peace+Process/THE+ISRAELI-PALESTINIAN+INTERIM+AGREEMENT+-+Annex+VI.htm#article8.

8   Ibid.

9   http://www.mfa.gov.il/MFA/Peace+Process/Reference+Documents/The+Wye+River+Memorandum.htm.

10. http://www.mfa.gov.il/MFA/Peace+Process/Guide+to+the+Peace+Process/A+Performance-Based+Roadmap+to+a+Permanent+Two-Sta.htm.

11. Adopted by the Security Council on September 14, 2005.

12. A/RES/60/288.

13. http://www.maannews.net/eng/ViewDetails.aspx?ID=284337.

14. http://palwatch.org/main.aspx?fi=157&doc_id=4765. For further examples of official acts of incitement and glorification, see http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Palestinian_incitement/Terror-incitement-Palestinian-media.htm and http://www.pmo.gov.il/PMOEng/Communication/Spokesman/2011/03/spokeincitement130311.htm.

APPENDIX: DRAFT INTERNATIONAL CONVENTION FOR THE PREVENTION OF INCITEMENT TO TERROR

INTRODUCTION

The draft international convention proposed in this paper represents an effort to move forward from domestic legislation, UN resolutions and regional treaties, with a view to placing before the international community a draft comprehensive instrument that attempts to address the issue of incitement and to criminalize it in international law.

Alan Baker

DRAFT INTERNATIONAL CONVENTION FOR THE PREVENTION OF INCITEMENT TO TERROR[1]

(PP1) Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of good-neighborliness and friendly relations and cooperation among States,[2]

(PP2) Deeply concerned by the worldwide escalation of acts of terrorism in all its forms and manifestations, which endanger or take innocent human lives, jeopardize fundamental freedoms and seriously impair the dignity of human beings,[3]

(PP3) Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,[4] including incitement thereto,

(PP4) Reaffirming also that terrorism, including any incitement thereto, cannot and should not be associated with any religion, nationality, civilization or ethnic group,[5]

(PP5) Noting that existing multilateral legal provisions do not adequately address incitement to acts of terror,[6]

(PP6) Recognizing that incitement to terror as set forth in this Convention, as well as acts of terror resulting from such incitement, by whomever perpetrated, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature, and recalling the obligation of all Parties to prevent such offenses and, if not prevented, to prosecute and ensure that they are punishable by penalties that take into account their grave nature,[7]

(PP7) Deeply concerned that incitement of terrorism, as well as acts of terror resulting from such incitement, by whomever perpetrated, motivated by extremism and intolerance pose a serious and growing danger to the enjoyment of human rights, threaten the social and economic development of all States, undermine global stability and prosperity, and must be addressed urgently and proactively by the United Nations and all States, and emphasizing the need to take all necessary and appropriate measures in accordance with international law at the national and international level to protect the right to life,[8]

(PP8) *Expressing concern* over the rise in recent years of acts of incitement to hatred, which have targeted and severely affected racial and religious communities and persons belonging to racial and religious minorities, whether involving the use of print, audio-visual or electronic media or any other means, and emanating from a variety of sources,[9]

(PP9) *Reaffirming* that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, shall be prohibited by law,[10]

(PP10) Recalling that the Plan of Action adopted as an Annex to the United Nations Global Counter-Terrorism Strategy (A/RES/60/288 dated 20 September 2006), dealing with measures aimed at addressing the conditions conducive to the spread of terrorism, calls upon States "to continue to work to adopt such measures as may be necessary and appropriate and in accordance with our obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct",[11]

(PP11) Recalling the right to freedom of expression reflected in Article 19 of the Universal Declaration of Human Rights adopted by the General Assembly in 1948 ("the Universal Declaration"), and recalling also the right to freedom of expression in Article 19 of the International Covenant on Civil and Political Rights adopted by the General Assembly in 1966 ("ICCPR") and that any restrictions thereon shall only be such as are provided by law and are necessary on the grounds set out in paragraph 3 of Article 19 of the ICCPR,[12]

(PP12) Recalling also that the International Covenant on Civil and Political Rights, states inter alia that "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law",[13]

(PP13) *Recalling also* that the International Convention on the Elimination of All Forms of Racial Discrimination mandates States to "declare an offense punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination as well as all acts of violence and incitement to such acts against any race or group of persons of another color or ethnic origin",[14]

(PP14) *Condemning* in the strongest terms the incitement of terrorist acts and repudiating attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts,[15]

(PP15) *Deeply concerned* by the increasing number of victims, especially among civilians of diverse nationalities and beliefs, caused by terrorism and by incitement to terrorism motivated by intolerance or extremism in various regions of the world, reaffirming its profound solidarity with the victims of terrorism and their families, and stressing the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief,[16]

(PP16) *Re-emphasizing* that continuing international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent incitement to the indiscriminate targeting of different religions and cultures, and addressing unresolved regional conflicts and the full range of global issues, including development issues, will contribute to strengthening the international fight against terrorism,[17]

(PP17) *Stressing* the importance of the role of the media, the internet, civil and religious society, the business community and educational institutions in those efforts to enhance dialogue and broaden understanding, and in promoting tolerance and coexistence, and in fostering an environment that is not conducive to incitement of terrorism,[18]

(PP18) *Recognizing* the importance that, in an increasingly globalized world, States act cooperatively to prevent terrorists from exploiting sophisticated technology, communications, internet and other resources to incite to, and support criminal acts,[19]

(PP19) *Recalling* that all States must cooperate fully in the fight against terrorism, in accordance with their obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of, and incitement to terrorist acts or provides safe havens,[20]

(PP20) *Calling* upon all States to take such measures as may be necessary and appropriate and in accordance with their obligations under international law to prohibit by law incitement to commit a terrorist act or acts, and further calling upon all States to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and to take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters;[21]

Have agreed as follows:

ARTICLE 1

1. Any person commits an offense within the meaning of this Convention if that person unlawfully and intentionally incites others to commit an act of terror.[22]

2. Direct or indirect incitement to commit an act of terror shall be considered to be an international crime.

3. For the purposes of this convention, "incitement to commit an act of terror" means directly or indirectly calling upon, provoking, urging, instigating, encouraging, advocating, or persuading others, whether groups of persons, members of the population or the public at large, to initiate, organize, participate or engage in an act, or acts of terror against any person, group of persons or members of any religious, national or ethnic group, where such conduct, whether or not directly advocating terrorist offenses, causes a danger that one or more such offenses may be committed.[23]

4. An offense within the meaning of this Convention includes incitement by the following methods:
   a. speeches, shouting or threats uttered orally in public places or at public gatherings,[24]
   b. sale or dissemination, offer for sale or display of written material or printed matter in public places or at public gatherings through the public display of placards or posters,
   c. use of the mass media, television, radio,[25] internet or any other means of communication, including by employing broadcasts, publications, drawings, images, or speeches,[26]

d. public vilification or disparagement of a target group with the aim of instigating, causing, bringing about or provoking terror or violence against that group, where such incitement creates a danger that such an act or acts of terror may be committed.

1. Any person also commits an offense if that person attempts or participates as an accomplice in the commission of an act of incitement to terror as set forth in this article.

2. Any person also commits an offense if that person:
    a. Provides funds or resources, directly or indirectly, to enable, assist, encourage or reward an act of incitement to terror as set forth in this article, or provides financial or other compensation to those involved in the commission of an act of incitement; or
    b. In any other way contributes to the commission of an act of incitement as set forth in this article.

ARTICLE 2

Each State Party shall adopt such measures as may be necessary:
    a. To establish as criminal offenses under its domestic law the offenses set forth in Article 1 of this Convention;
    b. To make those offenses punishable by appropriate penalties which take into account the grave nature of those offenses.[27]

ARTICLE 3

Each State Party shall ensure that the establishment, implementation and application of the criminalization of incitement to commit an act of terror, provocation and other terrorism-related offenses, are carried out while respecting human rights obligations, in particular the right to freedom of expression, freedom of association and freedom of religion, and other obligations under international law.[28]

ARTICLE 4

Each State Party shall adopt such measures as may be necessary including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.[29]

ARTICLE 5

For an act to constitute an offense as set forth in Article 1 of this Convention, it shall not be necessary that a terrorist offense be actually committed. [30]

ARTICLE 6

1. State Parties shall refrain from organizing, instigating, facilitating, financing, assisting, participating or acquiescing, encouraging or tolerating activities in

territories under their jurisdiction which may involve incitement to terror as set forth in Article 1.

2. State Parties shall also take all measures within their power, in conformity with the purposes and principles of the Charter of the United Nations and other relevant rules of international law, to prevent and impede any form of incitement to terror that may be carried out in the territory of another State.

3. States Parties shall also refrain from any kind of activities or expressions which condone, glorify, support, reward, or justify acts of incitement to terror as set forth in Article 1, and shall take all measures within their power, including the adopting of necessary criminal legislation, to ensure that educational, religious, media and other public and private bodies, agencies, organizations and persons within their territorial jurisdiction, do not engage in any activity or expression that is tantamount to incitement to terror.[31]

ARTICLE 7

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over acts of incitement to terror as set forth in Article 1 when:
   a. The offense is committed in the territory of that State or on board a vessel flying its flag or an aircraft registered therein; or
   b. The offense is committed by a national of that State. [32]

2. A State Party may also establish its jurisdiction over any act of incitement to terror when:
   a. The offense is committed against a national of that State
   b. the offense is committed against a facility of that State abroad, including an embassy or other diplomatic or consular premises of that State; or
   c. the offense is committed by a stateless person who has his or her habitual residence in the territory of that State; or
   d. the offense is committed in an attempt to compel that State to do or abstain from doing any act.

3. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over the offenses set forth in Article 1 in cases where the alleged offender is present in its territory and it does not extradite that person to any of the State Parties that have established their jurisdiction in accordance with paragraph 1 or 2.

4. This Convention does not exclude the exercise of any criminal jurisdiction established by a State Party in accordance with its domestic law.

ARTICLE 8

1. Upon receiving information that a person who has committed or who is alleged to have committed an act of incitement to terror as set forth in Article 1 may be present in its territory, the State Party concerned shall take such measures as may be necessary under its domestic law to investigate the facts contained in the information.

2. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the offender or alleged offender is present shall take the appropriate measures

under its domestic law so as to ensure that person's presence for the purpose of prosecution or extradition.

3. Any person regarding whom the measures referred to in paragraph 2 are being taken shall be entitled to:

   a. communicate without delay with the nearest appropriate representative of the State of which that person is a national or which is otherwise entitled to protect that person's rights or, if that person is a stateless person, the State in the territory of which that person habitually resides;

   b. be visited by a representative of that State;

   c. be informed of that person's rights under subparagraphs (a) and (b).

4. The rights referred to in paragraph 3 shall be exercised in conformity with the laws and regulations of the State in the territory of which the offender or alleged offender is present, subject to the provision that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

5. The provisions of paragraphs 3 and 4 shall be without prejudice to the right of any State Party having a claim to jurisdiction in accordance with Article 6, subparagraph 1(c) or 2(c), to invite the International Committee of the Red Cross to communicate with and visit the alleged offender.

6. When a State Party, pursuant to this article, has taken a person into custody, it shall immediately notify, directly or through the Secretary-General of the United Nations, the State Parties which have established jurisdiction in accordance with Article 5, paragraphs 1 and 2, and, if it considers it advisable, any other interested State Parties, of the fact that such person is in custody and of the circumstances which warrant that person's detention. The State that makes the investigation contemplated in paragraph 1 shall promptly inform the said State Parties of its findings and shall indicate whether it intends to exercise jurisdiction. [33]

ARTICLE 9

1. The State Party in the territory of which the alleged offender is present shall, in cases to which Article 8 applies, if it does not extradite that person, be obliged, without exception whatsoever and whether or not the offense was committed in its territory, to submit the case without undue delay to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any other offense of a grave nature under the law of that State. [34]

2. Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State to serve the sentence imposed as a result of the trial or proceeding for which the extradition or surrender of that person was sought, and this State and the State seeking the extradition of the person agree with this option and other terms they may deem appropriate, such a conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 1.

ARTICLE 10

1. Incitement to acts of terror as set forth in Article 1 shall be deemed to be included as extraditable offenses in any extradition treaty existing between any of the State Parties before the entry into force of this Convention. State Parties undertake to include such offenses as extraditable offenses in every extradition treaty to be subsequently concluded between them.

2. When a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State Party may, at its option, consider this Convention as a legal basis for extradition in respect of the offenses set forth in Article 1. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. State Parties which do not make extradition conditional on the existence of a treaty shall recognize acts of incitement to terror as set forth in Article 1 as extraditable offenses between themselves, subject to the conditions provided by the law of the requested State.

4. If necessary, the offenses set forth in Article 1 shall be treated, for the purposes of extradition between State Parties, as if they had been committed not only in the place in which they occurred but also in the territory of the States that have established jurisdiction in accordance with Article 5, paragraphs 1 and 2.

5. The provisions of all extradition treaties and arrangements between State Parties with regard to offenses set forth in Article 1 shall be deemed to be modified as between State Parties to the extent that they are incompatible with this Convention.[35]

ARTICLE 11

1. State Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offenses set forth in Article 1, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. State Parties shall carry out their obligations under paragraph 1 in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, State Parties shall afford one another assistance in accordance with their domestic law.[36]

ARTICLE 12

None of the offenses set forth in Article 1 shall be regarded, for the purposes of extradition or mutual legal assistance, as a political offense inspired by political motives. Accordingly, a request for extradition or for mutual legal assistance based on such an offense may not be refused on the sole ground that it concerns a political offense or an offense connected with a political offense inspired by political motives.[37]

ARTICLE 13

Nothing in this Convention shall be interpreted as imposing an obligation to extradite or to afford mutual legal assistance, if the requested State Party has substantial grounds for believing that the request for extradition for offenses set forth in Article 1 or for mutual legal assistance with respect to such offenses has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin, or political opinion, or that compliance with the request would cause prejudice to that person's position for any of these reasons. [38]

ARTICLE 14

1. With a view to enhancing coordination and cooperation between States in order to maximize the effort to deal with and to counter incitement to terror, the State Parties to this Convention hereby agree to transmit information concerning incitement to terror to the United Nations Security Council Committee on Terrorism established and functioning pursuant to the Council's resolution 1373.[39]

2. State Parties shall cooperate in the prevention of incitement to terrorism by providing to the Security Council Committee, and exchanging between themselves, accurate and verified information in accordance with their national law, and coordinating administrative and other measures taken as appropriate to prevent incitement to acts of terror.

ARTICLE 15

Nothing in this Convention shall affect other rights, obligations and responsibilities of States, including the right of self-defense, under international law, in particular the purposes and principles of the Charter of the United Nations and international humanitarian law. [40]

ARTICLE 16

1. Any dispute between two or more State Parties concerning the interpretation or application of this Convention which cannot be settled through negotiations within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice, by application, in conformity with the Statute of the Court.[41]

2. Each State may at the time of signature, ratification, acceptance or approval of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other State Parties shall not be bound by paragraph 1 with respect to any State Party which has made such a reservation.

3. Any State which has made a reservation in accordance with paragraph 2 may, at any time, withdraw that reservation by notification to the Secretary-General of the United Nations.

ARTICLE 17

1.   This Convention shall be open for signature by all States from …………… until ……………… at the United Nations Headquarters in New York.

2.   This Convention is subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations.

3.   This Convention shall be open to accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.[42]

ARTICLE 18

1.   This Convention shall enter into force on the thirtieth day following the date of the deposit of the fifteenth instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.

2.   For each State ratifying, accepting, approving or acceding to the Convention after the deposit of the fifteenth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification, acceptance, approval or accession.[43]

ARTICLE 19

1.   Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2.   Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations. [44]

ARTICLE 20

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States. [45]

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at ………….. on ……………………

ENDNOTES

1.   This draft convention is based on several international conventions and resolutions dealing with various aspects of international terror, as well as on legal articles and drafts regarding terrorism that have been suggested over the years. Where possible, the author has indicated in endnotes the source of the particular provision of this convention. Changes and adaptations have been included in order to meet the needs of incitement to terror in light of technological developments in the era of the internet and electronic information transfer. For ease of reference, the preambular paragraphs are listed as PP….

2.   TB PP2, FT PP2, Draft International Convention on the Suppression of Terrorism [ICST] PP4.

3.   The United Nations Global Counter-Terrorism Strategy, (A/RES/60/288), PP7.

4.   Ibid PP8.

5.   Terrorist Bombings Convention (see footnote 1) at PP8.

6.   Council of Europe Convention on the Prevention of Terrorism, 2005, PP6.

7.   Ibid PP 5.

8. 9 Outcome document of the Durban Review Conference 2009.

9. http://www.un.org/durbanreview2009/pdf/Durban_Review_outcome_document_En.pdf para. 68.

10. Ibid para. 13.

11. Ibid Article 1, para. 4.

12. Based on UN Security Council Resolution 1624 (2005), PP6.

13. ICCPR Article 20, Section 2.

14. CERD Article 4.

15. UNSC Res 1624 of Sept. 14, 2005, PP4.

16. Ibid PP9.

17. Ibid PP12.

18. Ibid PP13, with the addition of the reference to the internet.

19. Ibid PP14, with the addition of the reference to the internet.

20. Ibid PP15.

21. UNSC Res 1624 of Sept. 14, 2005 operative paragraph 1.

22. Based on Article 2(1) of the Terrorist Bombings Convention.

23. Based inter alia on the crime of "public provocation to commit a terrorist offense" as defined in the 2005 European Framework Convention, Article 5(1), (2).

24. Subparas. a. and b. are based on Article 91(4) of the Rwandan Penal Code as quoted in para. 553 of the Akayesu Judgement, ICTR-96-4-T.

25. Incitement through use of radio or media broadcasts appears in several UN Security Council resolutions including SC Res. 837(1993) of 6 June 1993 preambular para. 10, operative para. 5; Security Council Res1040(1996) of 29 January 1996 operative para. 4 SC Res. 1049(1996) of 5 March 1996 preambular para. 5, operative paras. 3, 5; SC Res. 1161(1998) of 9 April 1998 operative para. 5 SC Res. 1296(2000) of 19 April 2000 operative para. 17; SC Res. 1565(2004) of 1 October 2004 operative para. 17; SC Res. 1572(2004) of 15 November 2004 preambular para. 5; SC Res. 1738(2006) of 23 December 2006 operative para. 4. In all these resolutions, the Security Council referred expressly to "radio broadcasts," "media broadcasts," "incitement by radio stations" and "use of the media." SC Res. 1417 (2002) of 14 June 2002 operative para. 5 refers to the events of 14 May 2002, when a group of soldiers took control of the Kisangani local radio station RTNC and aired declarations inciting the population to insurrection and murder on an ethnic basis, against Rwandans.

26. Based on the definition of incitement in the Encyclopedia of the US Holocaust Memorial Museum, Washington, DC, last updated April 1, 2010 D:/users/alan/documents/incitement to genocide in international law.mht and the discussion on the definition of incitement to terror in Yael Ronen INCITEMENT TO TERRORIST ACTS UNDER INTERNATIONAL LAW Research Paper No. 15-09 August 2009 published by the International Law Forum of the Hebrew University of Jerusalem Law Faculty, at page 20.

27. TB Art 4, ICST Art 3.

28. 2005 European Framework Convention, Article 12(1).

29. Based on Article 5 of the Terrorist Bombings Convention, Article 6 of the Terrorist Financing Convention and the Draft International Convention on the Suppression of Terrorism (DICST).

30. 2005 European Framework Convention, Article 8.

31. ICST Art 5.

32. TB Art 6; TF Art 7; ICST Art 9.

33. TB Art. 7; TF Art. 9; ICST Art. 6.

34. TB Art. 8; TF Art 10; ICST Art. 10.

35. TB Art. 8; TF Art. 11; ICST Art. 8.

36. TB Art. 9; TF Art. 12; ICST Art. 7.

37. TB Art. 11; TF Art. 14.

38. TB Art. 12; TF Art. 15.

39. http://www.un.org/News/Press/docs/2001/sc7158.doc.htm and http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N01/557/43/PDF/N0155743.pdf?OpenElement.

40. TB Art. 19; TF Art. 21.

41. TB Art. 20; TF Art. 24.

42. TB Art. 21; TF Art. 25.

43. TB Art. 22; TF Art. 26.

44. TB Art. 23; TF Art. 28.

45. TB Art. 24; TF Art. 28.

The Jerusalem Center for Public Affairs is a leading independent research institute specializing in public diplomacy and foreign policy. Founded in 1976, the Center has produced hundreds of studies and initiatives by leading experts on a wide range of strategic topics. Dr. Dore Gold, Israel's former ambassador to the UN, has headed the Jerusalem Center since 2000.

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Iran and the New Threats to the West – Preparation of a legal document jointly with leading Israeli and international scholars and public personalities on the initiation of legal proceedings against Iranian President Mahmoud Ahmadinejad for incitement to commit genocide and participate in genocide. This program also features major policy studies by security and academic experts on Iran's use of terror proxies and allies in the regime's war against the West and its race for regional supremacy.

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