

generally applied to Jews in Nazi Germany; his reference in his 2009 inaugural speech describing America as a nation of Christians and Muslims and, only after a short pause, mentioning “Jews and Hindus”; his choosing a Middle East team of people “notable for a distinct lack of charity in the Jewish direction;” his seeming obsession with appeasing the forces of militant Islam; his implied equivalence between the Holocaust and Palestinian suffering in pursuit of a homeland—all in the context of his repeated pledge never to accept the legitimacy of Israeli settlements.

Alexander seems particularly sensitive to each and every remark Obama has ever made. What troubles him most is that American Jews seemingly choose to ignore these remarks and, in overwhelming numbers, continue to support and vote for Obama. Are they burying their collective heads in the sand, or are their liberal politics preventing them from hearing what is really being said? This concern is the key to understanding the perspective that unites all the essays in *State of the Jews*. Is Alexander, however, being realistic in thinking he can change a fundamental element of American Jewish identity, or is he just a hopeful conservative, like Ezekiel “speaking out” to those who would not hear?

The reviews and essays in *State of the Jews* are both controversial and provocative. They are also often insightful, if one takes into account the fact that Alexander is writing as one of America’s leading conservative intellectuals. Not everyone will agree with everything he writes—but almost everyone will enjoy the read.

DR. SARAH SCHMIDT teaches courses related to modern Jewish history at the Rothberg International School of the Hebrew University of Jerusalem, with an emphasis on both Israeli and American Jewish history.



A PARTIAL HISTORY OF THE INTERNATIONAL HUMAN RIGHTS MOVEMENT

The International Human Rights Movement, by Aryeh Neier, Princeton University Press, 2012, 392 pp.

Reviewed by ANNE HERZBERG

Coming at the end of his twenty-year tenure as the head of George Soros’s mega-philanthropy, the Open Society Foundation (OSF), Aryeh Neier has authored *The International Human Rights Movement*. This work chronicles the history of

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the human rights movement, arguing that it has been “the driving force behind the protection of human rights for the past 35 years.” In particular, Neier focuses on the advent of human rights nongovernmental organizations (NGOs) such as Amnesty International and Human Rights Watch (HRW), and how the movement has reacted to, adapted to, and influenced significant world events, including the Cold War and its collapse, 9/11, and the 2011 “Arab Spring.”

Neier is well-positioned to write this story. Before leading OSF, Neier was executive director of HRW for twelve years, and had an eight-year run leading the American Civil Liberties Union (ACLU) capping off fifteen years at the organization. Given his lifelong career with three of the most influential groups in the human rights movement, it is clear that Neier was a major player and witness to many of the events he describes in the book.

The book is at its strongest when describing the beginnings of the human rights movement and the dynamics of the Cold War in pushing it to prominence. Yet Neier’s book is strangely and disappointingly impersonal. He speaks very little of his time at the ACLU and how he ended up taking the reins of HRW and OSF. Often, Neier lacks critical distance and appears at times to be blinded by the “halo effect,” claiming that human rights groups intervene in policy solely for “altruistic reasons” and are “committed to uncovering hidden violations of rights in all parts of the world.” There are also several striking omissions throughout the book. These lapses highlight the many ways in which this movement has acted immorally and failed to stay true to the principles of universal human rights.

Neier devotes significant sections of his book to the Cold War and how it fueled the development of the human rights movement. He notes that the rise of investigative journalism in the wake of the Vietnam War and Watergate also bolstered human rights advocacy and led to a symbiotic relationship between the media and activists. While he acknowledges that the influence of human rights groups was not the main factor in ending the Cold War, he argues that Western activists, in “embarrassing their own governments by pointing out claims of freedom were contradicted by support for dictatorships and apartheid,” fostered sustained domestic political interest in human rights. He argues that this approach was a significant cause of the Cold War’s collapse and the fall of dictators in Latin America and Asia.

Another of Neier’s main points is how the human rights movement shifted during the late 1980s from focusing solely on violations of international human rights law to monitoring violations of international humanitarian law (IHL, or laws of armed conflict), which is a primary goal today. According to Neier, the movement has also shifted away from the monitoring of abuses to promoting “accountability,” through advocating for international criminal tribunals as well as using litigation and other law-based strategies to advance campaigns.

NGO “SUPERPOWERS”

One of the more interesting sections of the book is his discussion of Amnesty International, one of the pioneers of the human rights movement, and the internal struggles of the organization. For instance, in contrast to today’s activists, who are overwhelmingly influenced by postcolonial and Marxist politics, he highlights how Amnesty’s founder, Peter Benenson, originally avoided joining the UK-equivalent of the ACLU because it was controlled by Communists. He also describes how at the outset, there was strong commitment to strict adherence to Amnesty’s mandate. One of the early tenets was that Amnesty could not adopt someone who advocated or condoned violence or overthrow of his or her government as a “prisoner of conscience”—a requirement that even precluded campaigning on behalf of Nelson Mandela. This principled stance, Neier claims, “gave it a much higher level of popular support.”

While Neier considers Amnesty’s greatest asset to be its “moral authority,” he acknowledges that as the mandate expanded to include torture and capital punishment, regardless of whether prisoners of conscience were the victims, the group became more politicized and this authority weakened. He also criticizes Amnesty’s direction in the 1990s and 2000s under the leadership of Pierre Sané and Irene Khan, who tried to dilute the mandate even further by shifting focus away from “first generation political rights” to economic, social, and cultural rights, which are much harder to define and enforce.

In Neier’s account, one of the major causes of Amnesty’s relative decline was its unwillingness to focus on IHL violations as the Cold War came to an end. At the time, Amnesty came under intense criticism for focusing its reports on abuses committed by governments while remaining silent on crimes committed by guerrilla groups. Amnesty justified this silence by claiming it did not have a legal basis on which to base such reporting: international human rights law only applies to governmental obligations. In contrast, IHL addresses behavior by all actors in a conflict and therefore would cover violations by both governments and opposition groups. In 1991, Amnesty decided to expand its mandate to cover torture, disappearances, and extrajudicial executions committed by guerrillas, but by then the damage had been done. Ironically, this hesitation led to the emergence of HRW as Amnesty’s main rival, for HRW chose to use IHL as the framework for its publications.

Neier next discusses the development of HRW, the organization he led for over a decade, but the level of introspection and analysis seen in his assessment of Amnesty is sorely missing from this chapter. There are occasional nuggets, such as the fact that one of HRW’s main benefactors, the Ford Foundation, cut its funding when HRW established a separate section for Women’s Rights and because of its focus on IHL. However, the history of HRW is told in detached, noncritical fashion. We learn little about Neier’s role at the organization, nor of the appointment of Kenneth Roth

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as executive director and how this may have changed the organization's direction. Management at HRW is unnamed and amorphous. The book, however, is peppered with comments that suggest Neier has maintained intense involvement with HRW's activities and management, despite leaving the organization twenty years ago.

Instead, Neier spends many pages offering up self-serving statements about his former organization, including that "HRW was alone in providing . . . reliable reporting" and "only HRW provided systematic reporting...." Academic studies, however, have shown that HRW's reporting in countries such as Colombia, the Democratic Republic of Congo (DRC), Lebanon, and Rwanda has had significant methodological and factual problems.¹ Research conducted by this author's organization, NGO Monitor, has shown that in many cases HRW statements exhibit ideological bias, inconsistent methodological standards, and lack of expertise.² This credibility gap is particularly acute regarding HRW's reporting on Israel, largely because of the intense politicization in its Middle East and North Africa (MENA) division. Neier briefly mentions some of these criticisms in relation to HRW's reporting on the 2006 war between Hezbollah and Israel, but his inadequate defenses are strongly refuted by the studies.

While Neier claims the criticisms largely failed, it is clear that HRW suffered significant decline in credibility as a result and that scrutiny of the organization has increased. Surprisingly, Neier fails to mention several notable scandals that have plagued HRW in recent years. In May 2009, the head of the MENA division, Sarah Leah Whitson, led a fundraising trip to Saudi Arabia where she marketed HRW's work combating pro-Israeli "pressure groups" to prominent members of the Saudi elite including the ruling Shura Council.³ In September 2009, HRW's "senior military analyst," who had authored several of the reports attacking Israel for its conduct during the 2006 Lebanon and 2008 Gaza wars, was revealed to be an obsessive collector of Nazi memorabilia.⁴

In October 2009, HRW's founder Robert Bernstein authored a devastating op-ed in the *New York Times*, censuring HRW for its loss of "critical perspective" on the Middle East.⁵ In response to Bernstein's charges, Neier simply repeats the unproven claims of HRW's "experience and fastidious care with fact gathering." Neier also avoids any discussion of Whitson's immoral marketing of the Qaddafi regime in 2009 and 2010 as human rights "reformers," proven tragically wrong when, in February 2011, Saif al-Islam Qaddafi vowed to fight "until the last man, the last woman, the last bullet."

Neier also fails to offer much commentary on the hijacking of human rights frameworks for immoral purposes. In one place he does briefly mention that the United Nations' Office of the High Commissioner for Human Rights "badly bungled its management" of the 2001 Durban Conference by "allowing that event to be dominated by denunciations of Israel, some of which had an anti-Semitic character." Yet he fails to acknowledge the well-documented leading roles played by

HRW, Amnesty, and other major human rights groups in that travesty. He also ignores how the resulting “Durban Strategy,” which emerged as a blueprint for political warfare against Israel, has been promoted and intensified by these same groups.

NGO FUNDING AND OTHER OMISSIONS

Other disturbing omissions in the book concern the OSF and Neier’s work with Soros. Neier fails to mention Soros’ \$100 million gift to HRW in 2010, at the height of the criticisms leveled at the organization. Nor does he disclose whether he was involved in securing that donation. Another chapter purports to catalog other NGO leaders in the “worldwide movement”. The book’s endnotes, however, contain an admission by Neier that most of the groups mentioned by him in the chapter are actually funded by OSF. It is strange that Neier did not mention this fact directly in the text, and it feels disingenuous to bury it in the notes. Other OSF-funded groups, such as the Center for Constitutional Rights (CCR) and Al Haq, are positively mentioned by Neier, but he does not say that CCR is active in promoting anti-Israeli campaigns and has started a legal fund to represent BDS activists who harass and target Jews and Israelis on college campuses. Similarly, he does not inform his readers that Al Haq’s executive director, Shawan Jabarin, has been found by the Israeli Supreme Court to be a “senior activist” in the PFLP terrorist organization.

Discussion of the funding of the human rights movement is also glaringly absent. Some of Neier’s claims are factually wrong. For instance, he asserts that neither Amnesty nor HRW receive government funding. Amnesty has gotten substantial funding from the European Union and the governments of the UK, Norway, the Netherlands, and the United States, and these donations have been a point of contention within the organization. HRW has been funded by Oxfam Novib, the budget of which is primarily provided by the Dutch government. It is unknown to what extent that funding persists, since HRW no longer publishes donor information on its website.

In fact, there is tremendous funding and personnel overlap among the most prominent human rights NGOs, the United Nations, and other international institutions. Despite Neier’s characterizations of the movement as grassroots and “democratic,” those in charge are self-appointed and unelected. They are not subject to any public checks and balances, and are only accountable to their donors, board members, or members. Neier was in power at OSF for twenty years, and Kenneth Roth’s reign at HRW is at twenty and counting.

A LIMITED IMPACT?

Neier is on similarly shaky ground when discussing counterterrorism policy in the wake of 9/11 and the “Arab Spring.” His chapters on these issues (as well

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as his analysis of the Cold War) make it clear that much of his worldview is rooted in U.S. domestic politics. He spends significant time lamenting the practices of the Bush administration. Neier admits that the “movement has had difficulty in securing acceptance of its argument that rights should not be set aside when dealing with terrorism.” But he does not go far enough in acknowledging how HRW, Amnesty, and other NGOs have given little attention to the victims of terrorism, instead promoting an immoral equivalence between perpetrators of terrorist attacks and the democratic societies that try to defend against them. And throughout the book, Neier himself downplays the threat and impact of terrorism.

When dealing with the “Arab Spring,” Neier claims that “the fact that [it has] taken place is, in significant part, a tribute to the success of the human rights movement in spreading its ideas.” As events have proven, however, the Islamist successor regimes indicate that these ideas have not exactly taken root.

Neier’s main thesis is that the NGO human rights movement has been the “driving force behind the protection of human rights worldwide” for the past thirty-five years, and he claims there are far fewer casualties as a result. There is no question that the human rights movement spearheaded by Amnesty and HRW has developed into an extraordinarily powerful lobby. This movement has played key roles in the drafting and passage of international treaties such as the Convention to Ban Landmines and the Rome Statute establishing the International Criminal Court. Yet, since the founding of these organizations, there have been horrific abuses resulting from the breakup of the former Yugoslavia, genocide in Rwanda and Darfur, the devastating war in the DRC that has caused more than five million deaths, the rise of a narco-terror state in Mexico, and the killing of more than seventy thousand in Syria in fighting between the Assad regime and rebels. These mass atrocities have continued unabated despite the increasing influence of human rights NGOs and their promotion of international criminal “accountability.” These groups have also been unable to stop systematic repression in closed societies like Saudi Arabia, North Korea, and Iran.

Neier’s premise that the human rights movement is made up of people “united by their commitment to promote fundamental human rights for all, everywhere” also rings hollow. Many of the most prominent groups linked to Neier and OSF have been marred by overt politicization. They have been directly involved in immoral frameworks that have cheapened universal human rights such as the 2001 UN Durban Conference, the marketing of the Qaddafi regime as human rights reformers, and the failure to campaign actively and intensely on behalf of the victims of terrorism. Such failures are just as much a part of the history of the global human rights movement, and their stories deserve to be told as well.

NOTES

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ANNE HERZBERG is the legal adviser of NGO Monitor and the coauthor of *Best Practices for Human Rights and Humanitarian NGO Fact-Finding* (Martinus Nijhoff, 2012).



AN INSIDER'S STORY OF ISRAELI MILITARY TECHNOLOGY

Eilam's Arc: How Israel Became a Military Technology Powerhouse, by Uzi Eilam,
Sussex Academic Press, 2011, 322 pp.

Reviewed by GUIDO G. WEISS

On June 2002, at the President's Residence, Uzi Eilam received the Israel Security Prize for Lifelong Achievement. This was a mark of recognition for his extensive achievements, which he documents in his book.