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Response to John Quigley*

Louis René Beres**

Professor Quigley bases his jurisprudential argument on the unwarranted assumption that the Oslo Accords “hold the prospect of bringing resolution to the longstanding territorial dispute over Palestine.”¹ Yet, these Accords include a terrorist organization whose sole aim of “negotiation” is to supplant the State of Israel (a state Professor Quigley barely acknowledges has a right to exist) with a State of Palestine. Moreover, the dispute is not about territory, as he seems to believe, but about God. Any careful reading of the Arab press discloses that, from 1948 to the present, the entire Islamic world’s opposition to Israel, including the opposition of the Palestine Liberation Organization (“PLO”), stems from doctrinal hatred of a “cancerous” *Jewish* state in its midst.² Indeed, if the Palestinian opposition to Israel is only about the West Bank (Judea/Samaria) and Gaza, why were there so many Arab terrorist attacks between 1948 and 1967 when these disputed territories were in *Arab* hands?

Professor Quigley maintains that the Oslo Accords “offer the Palestinians much less than that to which they are legally entitled.”³ He bases this position on problematic allegations of a Palestinian majority population “in Palestine.”⁴ Leaving aside the very questionable nature of his demographic argument (i.e., the assertion that current Palestinians are descendants “from the ancient Canaan-

* Professor Beres authored the initial article in this Oslo Accord dialogue between himself and Professor Quigley. Louis René Beres, *Why the Oslo Accords Should be Abrogated by Israel*, 12 AM. U.J. INT’LL. & POL’Y 267 (1997).

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1. John Quigley, *The Oslo Accords: More than Israel Deserves* 12 AM. U.J. INT’LL. & POL’Y 285, 285 (1997).

2. See, e.g., AYATOLLAH KHOMEINI, PROGRAM FOR THE ESTABLISHMENT OF AN ISLAMIC GOVERNMENT (1970); ISLAM AND REVOLUTION: WRITINGS AND DECLARATIONS OF IMAM KHOMEINI 127 (Hamid Algar trans., 1981) (describing the malignancy metaphor); see also ROBERT S. WISTRICH, ANTISEMITISM: THE LONGEST HATRED 219 (1991) (noting that according to Khomeini Israel is the “universally recognized enemy” of Islam and the Muslims).

3. Quigley, *supra* note 1, at 285.

4. *Id.*

ites"), Professor Quigley conveniently ignores the fact that almost one million Palestinians are now full citizens of Israel (a condition that is hardly mirrored in the Arab world, where 900,000 Jews were slaughtered and expelled after 1948). Professor Quigley also ignores the fact that it is the Palestinians, not the Israelis, who cling relentlessly to the idea of *Jihad* or holy war.⁶ Professor Quigley, in advocating Palestinian legal claims, fails to recall that the PLO urged Saddam Hussein to launch annihilatory attacks upon Israel during the 1991 Gulf War. At the same time that Arafat embraced Saddam Hussein in Baghdad, he sent units of the Palestinian Liberation Army ("PLA") to assist with the inter-Arab killing, rape, and torture of Kuwaitis.⁷

Professor Quigley speaks of Jewish migration to Palestine after World War I, neglecting to mention that a substantial and continuous Jewish presence has existed in the land for 3000 years, and a Jewish majority has existed in Jerusalem.⁸ Nor does he seem to remember that the post-World War II United Nations partition of Palestine followed an earlier (1922) and illegal partition by the British which gave away almost eighty percent of the land promised to the Jews in the Balfour Declaration to create the Arab state of Transjordan. Thus, at the time of the 1947 partition vote in the United Nations, the Jews had already been unlawfully deprived of four-fifths of the lands to which they were entitled.

Professor Quigley's account of the 1948-49 Arab-Israeli war is altogether unique. Even militant Arab leaders or anti-Zionist historians would not likely accept his view that this was a war of Jewish aggression. On February 16, 1948, the U.N. Palestine Commission reported to the Security Council: "Powerful Arab interests, both inside and outside Palestine, are defying the resolution of the General Assembly and are engaged in a deliberate effort to alter by force the settlement

5. *Id.*

6. See WISTRICH, *supra* note 2, at 222-227 (discussing *Jihad* or holy war). For a more specific discussion see especially Chapter 16, "Conspiracies and Holy Wars." For fundamentalist Muslims "peace with Israel was and still remains nothing less than a poison threatening the lifeblood of Islam, a symptom of its profound malaise, weakness and decadence . . ." WISTRICH, *supra*, at 227. See ARAB THEOLOGIANS ON JEWS AND ISRAEL: EXTRACTS FROM THE PROCEEDINGS OF THE FOURTH CONFERENCE OF THE ACADEMY OF ISLAMIC RESEARCH 49-50 (D.F. Green ed., 1976) [hereinafter ARAB THEOLOGIANS], cited in WISTRICH, *supra* note 2, at 230 (explaining that according to Islamic orthodoxy, the Prophet is said to have predicted a final war to annihilate the Jews). Mohammed reportedly stated: "The hour [i.e., salvation] will not come until you fight against the Jews; and the stone would say, 'O Muslim! There is a Jew behind me: come and kill him.'" See ARAB THEOLOGIANS, *supra*, at 51.

7. Following the Iraqi aggression, Arafat and the PLO openly supported Baghdad in different ways. At the Cairo Summit of August 10, 1990, Arafat deflected attention from the invasion toward the crises in Afghanistan and Kashmir. Abul Abbas sent his own paramilitary forces into the occupied state to help "police" the sheikhdom as did George Habash of the PFLP and Nayef Hawatneh of the DFLP. Mohammed Milhem, senior aide to Arafat, publicly threatened Fatah-led terrorism "everywhere" in support of Iraq. See Laurie Mylroie, *Blood Brothers*, JERUSALEM POST, Nov. 3, 1990, at 9.

8. See JOAN PETERS, FROM TIME IMMEMORIAL: THE ORIGINS OF THE ARAB-JEWISH CONFLICT OVER PALESTINE 436-37 (1984).

envisaged therein.”⁹ The Arabs themselves were unambiguous in accepting responsibility for starting the war. Jamal Husseini informed the Security Council on April 16, 1948: “The representatives of the Jewish Agency told us yesterday they were not the attackers, that the Arabs had begun the fighting. We did not deny this. We told the whole world that we were going to fight.”¹⁰ The British commander of Jordan’s Arab Legion, Lieutenant General John Bagot Glubb, remarked candidly: “Early in January, the first detachments of the Arab Liberation Army began to infiltrate into Palestine from Syria. Some came through Jordan and even through Amman . . . They were, in reality, to strike the first blow in the ruin of the Arabs of Palestine.”¹¹

Israel came into being on May 14, 1948. The five Arab armies of Egypt, Syria, Transjordan, Lebanon, and Iraq immediately invaded the new micro-state. Azzam Pasha, Secretary General of the Arab League publicly expressed the combined intention of the Arab armies: “This will be a war of extermination and a momentous massacre which will be spoken of like the Mongolian massacres and the Crusades.”¹²

Professor Quigley intimates that the 1967 War was one of Israeli aggression, rather than a war of Israeli self-defense. Yet, on May 15, Israel’s Independence Day, Egyptian troops began moving into the Sinai, massing near the Israeli border. By May 18, Syrian troops also prepared for battle along the Golan Heights, 3,000 feet above the Galilee, from where they had shelled Israel’s farms and villages for years. Egypt’s Nasser ordered the U.N. Emergency Force (UNEF), stationed in the Sinai since 1956, to withdraw, whereupon the *Voice of the Arabs* proclaimed, on May 18, 1967:

As of today there no longer exists an international emergency force to protect Israel. We shall exercise patience no more. We shall not complain any more to the UN about Israel. The sole method we shall apply against Israel is total war, which will result in the extermination of Zionist existence.¹³

Two days later an enthusiastic echo came from Hafez Assad, then Syria’s Defense Minister, who openly proclaimed: “Our forces are now entirely ready . . . to initiate the act of liberation itself, and to explode the Zionist presence in the Arab homeland . . . The time has come to enter into a battle of annihilation.”¹⁴ President Abdur Rahman Aref of Iraq, another ostensible victim of Israeli “aggression”, joined the chorus of genocidal threats: “The existence of Israel is an error which must be rectified. This is our opportunity to wipe out the ignominy which has been with us since 1948. Our goal is clear, to wipe Israel off the map.”¹⁵ On

9. U.N. SCOR, 3d Sess., Supp. No. 2, at 10, U.N. Doc. S/Supplements (1948).

10. U.N. SCOR., 3d Sess., 283d mtg. at 19 (1948).

11. See JOHN BAGOT GLUBB, *A SOLDIER WITH THE ARABS* 79 (1957).

12. See ISI LEIBLER, *THE CASE FOR ISRAEL* 15 (1972).

13. See LEIBLER, *supra* note 12, at 60.

14. *Id.*

15. *Id.* at 18.

June 4, Iraq formally joined the military alliance with Egypt, Jordan, and Syria.¹⁶

Was Israel the aggressor in 1967, as Professor Quigley maintains? It hardly seems possible. The legal appropriateness of Israel's resort to anticipatory self-defense is well-established in longstanding customary international law.¹⁷ The Law of Nations is not a suicide pact; the world could not have expected Israel to wait patiently for its own annihilation. Indeed, when the Government of Golda Meir decided not to exercise the lawful option of anticipatory self-defense in October 1973 when Egypt and Syria prepared to launch yet another war of aggression against the Jewish State, Israel almost paid for it with collective disappearance. Although Israel eventually prevailed against the Arab aggressors, it did so at a staggering cost in human life.¹⁸

Professor Quigley argues that Israel has no claim on Jerusalem "beyond naked control."¹⁹ Yet, Jerusalem has long been a Jewish city, and a call for an end to Israel's sovereignty over an undivided Jerusalem is simply a call for an end to Israel. When, in 1947, the United Nations called for an international (U.N.-administered) city, it was not the Jews, but the Arabs, who refused its creation. When the Jordanian army seized the Old City during its war of aggression against Israel in 1948, it promptly desecrated all Jewish holy sites in the area, turned Jewish cemeteries and synagogues into urinals, and murdered all Jews who remained on the Jordanian side of the 1948 armistice line. During the 1967 War, Jordan's King Hussein, a man of peace according to Professor Quigley, declared on Radio Amman: "Kill the Jews wherever you find them. Kill them with your arms, with your hands, with your nails and teeth." Of course, Jordanian control over East Jerusalem from 1949-1967 and its method of acquisition and brutal methods of occupation were entirely unacceptable under international law. Does Professor Quigley object to these earlier and egregious violations of international law by the Kingdom of Jordan? If he does, he has certainly neglected to mention

16. See Ahmed S. Khalidi & Hussein Agha, *The Syrian Doctrine Of Strategic Parity*, in JUDITH KIPPER & HAROLD H. SAUNDERS, *THE MIDDLE EAST IN GLOBAL PERSPECTIVE*, 186-87 (1991) (describing the Damascus regimes commitment to military final solutions for Israel). Khalidi and Agha say this commitment stems from "an apparently strong conviction that the struggle with Israel is no mere political or territorial dispute, but rather a clash of destinies affecting the fate and future of the Middle East." *Id.* Moreover, Syria's approach to Israel remains "bound up with the view that force, whether active or passive, is the final arbiter of the conflict with Israel and the ultimate guarantor of any settlement in the area." *Id.*

17. See *The Caroline*, 2 Moore, *Digest Of International Law* 412 (1906), reprinted in LOUIS HENKIN, ET. AL., *International Law: Cases And Materials* 662-3 (2d ed. 1987); Wolfgang G. Friedmann, *The Changing Structure of International Law*, 259-60 (1964), reprinted in HENKIN, *supra*, at 739-40.

18. The Yom Kippur War produced 2,326 deaths of Israeli soldiers, nearly 10,000 injuries, and hundreds of prisoners. These costs to Israel were the direct results of A'man's (Military Intelligence Branch) failure to predict the Arab attack, a failure known in Israel's intelligence community as the *Mechdal*, a Hebrew term meaning "omission," "nonperformance," or "neglect."

19. Quigley, *supra* note 1, at 288.

them.

The statement that Jerusalem is holy to the three monotheistic religions is now generally accepted. Yet, for Muslims, even those who regard the city as their own because of its Canaanite origins, it is not Jerusalem, but rather the Saudi Arabian city of Mecca, that is of paramount significance. It is Mecca, not Jerusalem, to which Muslims must pilgrimage at least once. For Christians, Jerusalem contains some, but not all, of their holiest shrines. For Jews, *all* main holy sites are within the post-1967 Jerusalem municipal borders or in very close proximity.

Jews at prayer anywhere in the world face towards the Temple Mount in Jerusalem. Muslims, even those praying on the Mount, face *away* from it, toward Mecca. When they pray on the Mount, Muslims have their backs toward the Dome of the Rock, while those praying in the Al-Aqsa mosque also look away from Jerusalem and toward Mecca. In the Hebrew bible, Jerusalem is mentioned 656 times; Jerusalem's well being is central to all Jewish prayer. In the Koran, Jerusalem is never mentioned, not even once.²⁰

With the brief exception of the Crusaders, no conqueror of Jerusalem made the city a capital. Driven into exile by Nebuchadnezzar in 586 B.C.E., the Jews returned fifty years later and rebuilt Jerusalem as their capital. It was the capital of the Jews, again, under the Maccabees.

The Muslim conquerors of Jerusalem trampled on the rights of both Jews and Christians. They transformed churches into mosques and deliberately established slaughterhouses near Jewish places of worship. Mosques were built next to churches and synagogues so that their minarets could literally tower over them.

In the 2,554 years between 587 B.C.E. and 1967 C.E. Jerusalem was conquered more than twenty times. As part of many empires, it was ruled from different and distant capital cities. Only for the Jews (for more than 650 years), for the Crusaders (for 188 years) and for the *State of Israel* (since 1949) has Jerusalem served as a capital city.²¹

The newly official map of "Palestine" issued by the Palestine Authority ("PA") shows the State of Palestine as comprising all of the West Bank (Judea/Samaria), all of Gaza, *all of the State of Israel*, and a slice of the Kingdom of Jordan. Additionally, it excludes any reference to a Jewish population and only lists holy sites of Christians and Muslims. The PA has commissioned the official cartographer, Khalil Tufakji, to design and to locate a proposed Capitol Building, which he now plans to locate on the Mount of Olives in Jerusalem, *on top of an ancient Jewish cemetery*. On September 1, 1993, Yasser Arafat reaffirmed that the Oslo Accord is an intrinsic part of the PLO's 1974 phased plan for Israel's destruction:

The agreement will be a basis for an independent Palestinian state in accordance with the Palestinian National Council resolution issued in 1974 The PNC

20. See MARTIN GILBERT, *JERUSALEM: PAST AND FUTURE* (Institute of the World Jewish Congress, Policy Forum No. 1., Nov. 1994).

21. See *id.* (describing the history of Jerusalem).

resolution issued in 1974 calls for the establishment of a national authority on any part of Palestinian soil from which Israel withdraws or which is liberated . . .

²²

On the issue of maps, Professor Quigley should consider the following: The Arab world is comprised of twenty-two states of nearly *five million square miles* and 144 million people. The Islamic world contains forty-four states with *one billion* people. The Islamic states comprise an area *672 times the size of Israel*. Israel, with a population of fewer than five million Jews, is, together with Judea/Samaria and Gaza, less than half the size of San Bernardino County in California. The Sinai Desert alone, which Israel transferred to Egypt in the 1979 Treaty, is three times larger than the State of Israel.

Professor Quigley questions my allegation that the PA/PLO is guilty of multiple material breaches of the Oslo Accords.²³ He goes so far as to claim that, contrary to my arguments, the Palestinians have "carried out arrests in the wake of violence against Jewish civilians."²⁴ Let me now be more specific, although, for lack of space, I cannot be comprehensive:

1. The PA has failed to confiscate arms and to disarm militias. The Oslo accords obligate the PA police to disarm all militias acting in areas under its jurisdiction, to confiscate all weapons other than pistols, and to license pistols in accordance with regulations to be established by the two sides.²⁵ In fact, all of the militias which operated when the PA assumed control over Gaza and Jericho-- Hamas, Islamic Jihad, Popular Front for the Liberation of Palestine and Fatah--*remain armed*.²⁶

2. The PA has refused to present Israel with lists of Palestinian policemen. To enable Israel to prevent terrorists from joining the Palestinian police force (an

22. Radio Monte Carlo, *cited in* 1 B'TZEDEK 58 (1997). Later, on May 29, 1994, Rashid Abu Shbak, a senior PA security official, remarked: "The light which has shone over Gaza and Jericho will also reach the Negev and the Galilee." YEDIOT AHRONOT, *cited in* B'TZEDEK, *supra*, at 58.

23. The Israeli-Palestinian peace process consists of five agreements: (1) Declaration of Principles on Interim Self Government Arrangements, Sept. 13, 1993, Isr.-P.L.O., 32 I.L.M. 1525 [hereinafter D.O.P.]; (2) Israel-Palestine Liberation Organization Agreement on the Gaza Strip and the Jericho Area, May 4, 1994, Isr.-P.L.O., 33 I.L.M. 622 (signed in Cairo) [hereinafter Cairo Agreement]; (3) Agreement on Preparatory Powers and Responsibilities, Aug. 29, 1994, Isr.-P.L.O., 34 I.L.M. 455; (4) Protocol on Further Transfer of Powers and Responsibilities, Aug. 27, 1995, Isr.-P.L.O., 34 I.L.M. 455; and (5) Interim Agreement on the West Bank and Gaza Strip, Isr.-P.L.O., Sept. 28, 1995 (Signed in Washington D.C.).

24. Quigley, *supra* note 1, at 294.

25. Cairo Agreement, *supra* note 23, art. 9(2), 33 I.L.M. at 632.

26. In total violation of the Oslo Accords, the Palestinian Authority is now establishing a military industry in Gaza. According to information gathered by Israeli security forces, the PA has established factories for manufacturing ammunition. See Alex Fishman, YEDIOT AHRONOT, Apr. 15, 1997, at A7.

expectation that Israel has thus far been unable to satisfy), the PA is obligated to submit the list of all potential police recruits for Israel's approval.²⁷ This requirement is especially significant for those Palestinians recruited from the territories, where Hamas and Islamic Jihad influence is strong. The PA, however, has not submitted any names of recruited forces for Gaza and Jericho. The PA repeated its commitment concerning recruitment for the additional areas governed by the Interim Agreement, *but it has continued its policy of systematic noncompliance.*

3. The PA has exceeded the permissible number of policemen. The Gaza-Jericho Accords of May 1994 limited the number of Palestinian policemen to 9,000,²⁸ but during the period when the PA controlled these two areas, they enrolled approximately 20,000 people in their so-called "security forces." The Interim Agreement expanded the PA's jurisdiction to additional parts of Judea/Samaria and increased the permissible number of policemen to 24,000 in areas A and B, including Gaza.²⁹ Already, however, the PA police have signed on more than 30,000 men and perhaps as many as 40,000 or even 50,000. This would suggest that the PA police are effectively recruited not as a police agency, *but as an army.*

4. The PA continues to refuse to extradite suspected terrorists. The PA is obligated to turn over to Israel for trial all individuals for whom Israel provides an arrest warrant and proof of terrorist activity.³⁰ Yet, to date, Israel has requested the extradition of several dozen suspects for murder or attempted murder of Israelis, *not one of whom has been handed over to Israeli authorities.* Leading PA officials have made it perfectly clear that they have absolutely no intention of honoring the extradition provisions of the Oslo Accords.

5. The PA has failed to use its court system for the punishment of terrorists. The PA police are obligated to "arrest and prosecute individuals who are suspected of perpetrating acts of terror and violence."³¹ Yet, for the past two years, not one of the top leaders of the military wings of Hamas or Islamic Jihad has been sentenced. This policy of Palestinian law violation continued even after the February-March 1996 wave of terror bombings against Israeli men, women, and children.

6. The PA leadership remains complicit in inciting terrorism. The leadership of the PLO and PA is obligated to refrain from inciting terrorism.³² Yet, Yasser Arafat, Nabil Shaath, Faisal Husseini, and others have made many statements calling for *Jihad* and praising those who have bombed Israelis. These statements include specific praise for Hamas terrorists who have carried out mass murders of Israeli civilians.

27. See Cairo Agreement, *supra* note 23, annex I, art. IV, (4)(b), 33 I.L.M. at 645.

28. See *id.* annex I, art. III, (3)(c), 33 I.L.M. at 645

29. *Id.* annex I, art. IV, 3.

30. See Cairo Agreement, *supra* note 23, annex III, art. II(7), 33 I.L.M. at 692.

31. See *id.* art. 18, 33 I.L.M. at 635.

32. See *id.*

The list of PA/PLO violations of the Oslo Accords includes: failure to prevent incitement;³³ harassment of suspected former collaborators;³⁴ failure to provide information on Israeli MIAs;³⁵ the failure to change the PLO Covenant,³⁶ a failure that signifies that the PLO/PA has yet to renounce its intent to annihilate the Jewish State; the abuse of human rights and the rule of law;³⁷ the failure to hold democratic elections and establish a democratic regime;³⁸ the failure to control PLO police activity in eastern Jerusalem;³⁹ the opening of PA offices in eastern Jerusalem, in defiance of the obligation to locate all PA offices outside of Jerusalem;⁴⁰ and the conducting of foreign relations. The PA is explicitly prohibited from engaging in foreign relations. The primary documents provide that it is agreed that the PA's competence in foreign relations will be dealt with only in the final status negotiations.

Additional violations of the Oslo Accords include:⁴¹ unilaterally halting security cooperation with Israel;⁴² failing to coordinate movement of Palestinian police;⁴³ detaining Israeli citizens;⁴⁴ failing to enforce restrictions on Visitor's Permits;⁴⁵ and constructing, without authorization, a Gaza strip sea port⁴⁶ and the Dahaniye airport.⁴⁷

Professor Quigley concludes his remarks (revealingly subtitled, “. . . More than Israel Deserves”) with the observation that, for Israel, “the Oslo agreements do not represent a bad bargain.”⁴⁸ Ignoring the entire history of genocide against

33. *See id.* art. 12(1), 33 LL.M. at 633

34. *See id.* annex I, art. 8(1), 33 LL.M. at 653.

35. *See id.* 33 LL.M. at 639.

36. *See id.* art. XXXII.

37. *See* Cairo Agreement, *supra* note 23, art. 14, 33 LL.M. at 633.

38. *See* D.O.P., *supra* note 23, art. 3, 33 LL.M. at 1528.

39. *See* Cairo Agreement, *supra* note 23, annex I, art. III (7), 33 LL.M. at 646 (providing for restricted deployment of Palestinian Police).

40. *See id.* art. 3, 33 LL.M. at 633.

41. *See Unilateral Measures Taken by the Palestinian Authority in Violation of Oslo*, ISRAEL GOVERNMENT PRESS OFFICE (Apr. 14, 1997) [hereinafter *Unilateral Measures*] (describing PA/PLO violations of the peace process agreements).

42. *See id.* annex I, art. 2, 33 LL.M. at 641.

43. *See id.* annex I, art. 9(2)(4), 33 LL.M. at 656 (providing for Israeli-Palestinian coordination on the movement of Palestinian police).

44. *See id.* annex III, art. 2, (2)(c), 33 LL.M. at 691 (stating “Israelis shall under no circumstances be apprehended or placed in custody or prison by Palestinian authorities.”)

45. *See id.* annex II, art. 2 (27)(g)(2), 33 LL.M. at 675 (requiring the Palestinian Authority notify Israel of any extension).

46. *See* Cairo Agreement, *supra* note 23, annex I, art. 11 (4)(a), 33 LL.M. at 663 (providing for the creation of a joint Israeli-Palestinian committee to study the establishment of a port in the Gaza Strip).

47. *See id.* annex I, art. 12 (10), 33 LL.M. at 665 (requiring an Israeli agreement on the establishment and operation of airports). For these PA/PLO violations, *see Unilateral Measures*, *supra* note 41.

48. Quigley, *supra* note 1, at 297.

Jews that led to Israel's statehood (a history that Quigley turns on its head and defiles with the astounding charge that Israel engaged in "ethnic cleansing" in 1948), he neglects to mention that this "bargain" involves nothing less than another Jewish Diaspora. There is, however, no more indefensible statement in the entire argument than Quigley's assertion that: "[t]he accommodation with the Palestinians opens the way to peace treaties with Syria and Lebanon, which, along with peace treaties already signed with Egypt and Jordan, will leave Israel in a state of peace with all its immediate neighbors for the first time."⁴⁹ Is it possible that a distinguished and informed legal scholar of Professor Quigley's stature could exhibit so utterly the elementary fallacy of legalism? Viewing the new map of Palestine (which incorporates the current State of Israel) with regard to the PA/PLO violations of the Oslo Accords (especially the refusal even to abrogate a codification of genocidal intent) and the incessant Arab and Islamic calls for *Jihad*, is there any reason to believe that Israel's enemies will now surrender their doctrinal and religious beliefs to the expectations of international law?⁵⁰ Indeed, has Professor Quigley forgotten that Sadat defended his 1979 Treaty with Israel in the Arab world by identifying it as no more than a necessary tactical expedient?⁵¹

Professor Quigley is correct that the entire international community, including Israel, must act to protect the rights of the Palestinians. But, if his one-sided prescriptions are taken seriously, a catastrophic war in the region would inevitably result, a potentially unconventional conflict in which everyone, Palestinians and Israelis alike, would lose everything. However well-intentioned Professor Quigley's argument may actually be, it has the effect of encouraging Israel's "peaceful" eradication from the face of the Earth.⁵²

49. *Id.*

50. Regarding these doctrinal and religious beliefs, it is instructive to consider the following *hadith* (an Arabic term which refers to the oral tradition by means of which sayings or deeds attributed to the Prophet Mohammed have been handed down to Muslim believers): "Verily, the word of God teaches us, and we implicitly believe it, that for a Muslim to kill a Jew, or for him to be killed by a Jew, ensures him an immediate entry into Heaven and into the august presence of God Almighty." See WISTRICH, *supra* note 2, at 232.

51. President Sadat claimed that the Treaty was "founded upon Islamic rules, because it arises from a position of strength, after the holy war and victory Egypt achieved on 10th Ramadan 1393 [October 1973]." See WISTRICH, *supra* note 2, at 231. The Treaty itself provides a legally permissible rationale for Egypt to abrogate. A minute to Article VI, paragraph 5, of the Israel-Egypt Peace Treaty stipulates: "It is agreed to by the Parties that there is no assertion that this Treaty prevails over other Treaties or agreements or that other Treaties or agreements prevail over this Treaty." See Minute to art. VI(5), 18 I.L.M. at 392.

52. Al Da'wa (*The Mission*), a prominent Islamic publication, identifies the status of Israel with the status of the individual Jew. Here, Israel is merely the Jew in macrocosm: "The race (sic) is corrupt at the root, full of duplicity, and the Muslims have everything to lose in seeking to deal with them; they must be exterminated." See GILLES KEPPEL, *THE PROPHET AND PHARAOH: MUSLIM EXTREMISM IN EGYPT* 112 (trans., Jon Rothschild, 1985) (emphasis added). Following are recent statements by senior PA officials, all of which are flagrantly anti-Jewish and several of which incorporate sordid anti-Jewish stereotypes:

(1) "Five Zionist Jews are running the policy of the United States in the Middle East:

Madeleine Albright, William Cohen, Dennis Ross, Miller and Martin Indyk. It is not possible that the American nation, which consists of 250 million people, can not find anyone other than five Zionist Jews to conduct the peace process with the Palestinians." PA Justice Minister Freih Abu Middein, *Yediot Ahronot*, Apr. 13, 1997.

(2) "We are fighting and struggling with an enemy who is Shylock. We must know that he is Shylock." Interview with Othman Abu Gharbiya, PA Chairman Arafat's Adviser on National Political Guidance (*Voice of Palestine*, Mar. 15, 1997).

(3) "The Jewish lobby is working very hard to jeopardize the process." PA Chairman Yasser Arafat, in an interview, *Beirut Daily Star*, Mar. 25, 1997, *Agence France Presse*, Mar. 26, 1997.

(4) "Israeli authorities . . . infected by injection 300 Palestinian children with the HIV virus during the years of the intifada." Palestinian representative Nabil Ramlawi at a session of the United Nations Commission on Human Rights in Geneva, *Jerusalem Post*, Mar. 17, 1997.

The theme of Palestine as the grave of Israel and of the Jews is a persistent motif in Arab orientations toward Israel. Here the following claim, made by Dr. Yahya al-Rakhawi in *Al-Akhbar*, the organ of Egypt's *Liberal Party*, on July 19, 1982, is typical:

When the State of Israel was established and . . . was recognized by many, in both East and West, one of the reasons for this recognition was the desire of the people in the East and West to get rid of as many as possible of the representatives of that human error known as the Jews. Behind this motive was another, secret purpose: to concentrate them in one place, so that it would be easier to strike at the right moment.

cited in Aryeh Stav, *ARAB ANTISEMITISM IN CARTOONS—AFTER "PEACE"*, at 28 (The Center for Policy Research, Policy Paper No. 1, Tel-Aviv, 1996). It is the Palestine Authority's overriding objective, unacknowledged by Professor Quigley, to make possible such a "strike."