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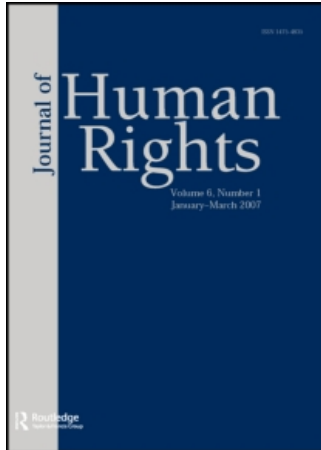
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Human Rights and Politicized Human Rights: A Utilitarian Critique

DON A. HABIBI

The article provides a utilitarian analysis to argue that the leading organizations of the International Human Rights Movement have lost sight of their own professed values. Instead of functioning to check and balance the power of nation-states which formulate policies based on political and economic interests, the leadership of Amnesty International, Human Rights Watch, and the International Committee of the Red Cross follow the politicized United Nations. Their attention and resources have been diverted from where they are most needed and can do the most good. The problem is most evident in the disproportionate focus on the Israeli-Palestinian conflict. There are serious problems of distributive justice, fairness, and equality of treatment, in that the obsessive, lopsided scrutiny placed on Israel is concomitant with the neglect of the far more horrific human rights violations in the Arab world and beyond. There is a tragic opportunity cost in how the major humanitarian and human rights organizations set their priorities and allocate their resources. The moral failure of politicization also damages the credibility of the human rights leadership, their organizations, and the cause of human rights.

There are many ways a utilitarian analysis can help us understand what is both right and wrong about human rights. Part One of this article explores this question from two utilitarian approaches, following the classic formulation of Utilitarianism's founder, Jeremy Bentham.¹ My analysis begins on the theoretical level, where utilitarianism has some basic objections to the claim that all people hold a range of "rights" based on God, nature, or simply because they are human beings.² I also approach the question from a practical perspective. I argue that utilitarianism can support the notion of human rights. The noble efforts to minimize suffering and maximize welfare must be recognized as sources of happiness. Parts Two and Three are the main focus of this article. Part Two critiques the International Human Rights Movement (IHRM),³ arguing for the thesis that many of the major human rights organizations have been corrupted by politics, perverted by people of bad faith, and distracted from where they are most needed and can do the most good. The movement has lost its bearings and confused its priorities, such that its foci are disproportionate, unbalanced, distorted, and unfair. This is most evident in the singular attention placed on Israel, and the relative inattention placed on more deadly and destructive human rights problems elsewhere in the world. There is a serious problem of proportion, in that the amount of time and energy

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devoted to monitoring, documenting, and publicizing Israeli human rights violations, real and alleged, is undeniably disparate with the overall situation of human rights violations in the Middle East and in the world. In numerous conflicts, many of the key human rights organizations have been remiss in their noble mission and must be called to account for their selectivity and ineffectiveness. This remission is not merely a theoretical problem for utilitarians and other moral philosophers. It is negligence that contributes to major human rights atrocities and massive suffering throughout the world. There is a tragic opportunity cost in how the major human rights organizations, media, and international community set their priorities and spend their resources. Part Three continues to build the case and offers a brief analysis of how and why well-intentioned proponents of human rights became part of the problem. Part Four concludes with basic suggestions on how human rights organizations can become part of the solution.

Part One: The Traditional Utilitarian Critique

Nonsense Upon Stilts: Bentham's Confrontation with Natural Rights

The idea of "natural rights" has a long history. In the English tradition, Thomas Hobbes and John Locke incorporated a belief in natural rights and natural law into their political philosophies. Locke's claims had profound influence on two of the enlightenment's most important documents. The initial encounter between utilitarianism and a quasi-legal assertion of natural rights came in Bentham's skeptical and dismissive analysis of Thomas Jefferson's "Declaration of Independence." Bentham made several arguments for rejecting the unsupported claims of the rebellious colonists (Bentham 1776b; Lind 1776). The best-known encounter came in reaction to the French "Declaration of the Rights of Man and Citizen," which proclaimed 17 rights as "the natural, inalienable and sacred rights of man." In his point-by-point critique, Bentham argued forcefully that there are no "natural" rights, since rights are created by the law of a society:

Right, the substantive *right*, is the child of law: from *real* laws come *real* rights; but from *imaginary* laws, from laws of nature, fancied and invented by poets, rhetoricians, and dealers in moral and intellectual poisons come *imaginary* rights, a bastard brood of monsters, "gorgons and chimeras dire." (Bentham 1843: 523)

For Bentham, the concept of natural rights was "simple nonsense: natural and imprescriptible rights, rhetorical nonsense—nonsense upon stilts" (1843: 501). Proclaiming rights based on nature or God was too incoherent and unsubstantiated to be defended philosophically. Like his protégé John Austin, Bentham was a legal positivist. Abstract claims or declarations of rights might express wishful thinking, but they are no substitute for specific legislation. Moreover, there is no obvious case for universal absolutes, as there is no consensus in this pluralistic world. Reasonable people can disagree. Thus, invoking natural law to support one's belief is no substitute for evidence and argument. As H.L.A. Hart put it, "Like a harlot, natural law is at the disposal of everyone. The ideology does not exist that cannot be defended by an appeal to the law of nature" (1983: 163).

But Bentham's attack goes further. The very idea of a "natural" right contradicts and undermines the authority of law. He makes this point with literary flourish:

[A] natural right is a round square or an incorporeal body. What a legal right is I know. I know how it was made . . . To me a right and a legal right are the same thing, for I know no other. Right and law are correlative terms: as much so as son and father. Right is with me the child of law; from different operations of the law result different sorts of rights. A natural right is a son that never had a father. By natural right is meant a sort of a thing which . . . is to have an effect paramount to that of law, but which subsists not only without law, but against law: and its characteristic property . . . is . . . being the everlasting and irreconcilable enemy of law. As scissors were invented to cut up cloth, so were natural rights invented to cut up law, and legal rights. A natural right is a species of cold heat, a sort of dry moisture, a kind of resplendent darkness. (Bentham 1795: 334–335)

For Bentham, “rights” must come from laws enacted by established governments (1776b: 500). Once rights are based on law, then we can speak coherently about “legal rights.” Claiming any other source for rights subverts the force of law.

Although many have tried to construct a philosophically sound defense for the commonly asserted and highly important concepts of natural rights and human rights, Bentham’s objection remains valid. In the utilitarian tradition, John Stuart Mill, as well as other contemporary thinkers, attempt to provide a moral foundation for rights.⁴ Prominent philosophers such as Richard Rorty (1993) defend a perspective of “anti-foundationalism,” which deals with the problem by abandoning the effort to ground human rights philosophically (Ignatieff 2003: 54ff, 78). Similarly, Alan Dershowitz (2002: Chs. 1–3) argues cogently that it is wiser to defend a theory of rights using a “bottom-up approach,” beginning where there is a consensus for eliminating absolute injustice, instead of trying to achieve perfect justice, for which there is no agreement and common understanding. The able philosopher Alan Gewirth (1982; 1996) makes notable efforts for justification. Michael Freeman (1994) attempts to build a philosophical foundation by piecing together a range of theoretical ideas from Gewirth, Ronald Dworkin, Joseph Raz, Richard Rorty, Jack Donnelly, and others. Unfortunately, Freeman’s study ends up “begging the questions it set out to answer” (Langlois 2003). In my judgment, all these efforts do not provide the elusive foundation (Ingram 1994; MacIntyre 1981; Macleod 2005). Far more apparent is the weakness of the arguments brought to support universal human rights. Prominent advocates offer assertions, evasions, name-dropping, and wishful thinking to provide a flimsy foundation or lay the question aside so as to move on to ostensibly more pressing issues.⁵

My interest is not to build or tear down the philosophical foundations of human rights, and I hope to be forgiven for laying the question aside. But for those who take human rights seriously, the sources and justifications for human rights remain a difficult question.

Bentham on Stilts: The Utility of Human Rights

Bentham was correct to regard natural rights as a mere fiction; nonetheless, it is an extremely useful fiction. From a *practical* utilitarian view, those who work to minimize pain and suffering are to be commended for their noble efforts. The Universal Declaration of Human Rights (UDHR) is harmonious with the value of promoting happiness. Efforts to agitate against governmental abuses of power, render prisons more humane, eliminate torture, slavery, and other sources of intense pain are good works on any utilitarian calculus. Conversely, efforts that promote justice and fairness in the judicial, educational, and legislative systems; and

efforts that support civil liberties, social welfare, human dignity, and the pursuit of happiness, must be recognized as sources of pleasure. Thus, efforts to enshrine natural rights principles in the laws of nations and international law should be supported by those who wish to achieve the greatest happiness for the greatest number. It is reasonable to speculate that Bentham himself would recognize the utility of what we now refer to as “human rights” for all practical purposes. His tireless efforts for freedom, social equality, and all manner of progressive reforms—educational, electoral, legislative, judicial, and penal—evidence a commitment to values promoted by the human rights movement. On balance, a utilitarian analysis must therefore conclude that the world is a better place for having human rights as a standard and for having people and organizations dedicated to the promotion of human rights.

The Emergence of Human Rights

After Bentham, the debate on “natural rights” continued intermittently. Among the most significant political developments were attempts to ban the slave trade, the suffrage movement, the founding of the International Labor Organization, and the founding of the League of Nations. On the theoretical level, there was a shift from the religiously based conception of “natural” rights, to the more secular notion of “human” rights. This led to an increased reliance on law as the appropriate framework for grounding human rights, satisfying Bentham’s main objection.⁶

An historic watershed came in the aftermath of the Second World War, when the notion of human rights became a factor in public political debate. With the Nuremberg War Crimes Tribunal, the founding of the United Nations, and the UDHR, the international community began a new era committed to promoting and expanding the ideals of human rights. Numerous governmental and nongovernmental organizations (NGOs) were created, and human rights took on a moral aura for judging nations and interpreting international humanitarian law (IHL).

Whereas diplomats and lawyers regard ambiguity and vagueness as a virtue (it’s good for business), from a philosophical point of view, this underscores many problems that have yet to be resolved. People routinely use the term “rights” loosely, without understanding what it means to be in possession of one. For the purposes of this article, I define “rights” as protections or entitlements that individuals hold against other individuals, the state, or some other community. In turn, the rights conferrers have a corresponding obligation to noninterference or to enable the rights holders to exercise their rights. Rights are likened to shields or political trump cards held by individuals that override other factors or aggregative interests (Dworkin 1978: xi; 2006: 34–35). Rights are important because they protect people from the injustice of cold utilitarian calculations that promote the interests of the majority at the expense of minorities—a point not lost on Bentham. Human rights can function as a bulwark against such violations.

Human rights are rights that we hold by virtue of the fact that we are human beings. Not surprisingly, there are serious, substantive disagreements as to how we define “human.” For example, the debate over abortion oftentimes hinges on the question of when life begins. Much of the debate over euthanasia hinges on questions of consciousness, rational faculties, purposive agency, and so on; for in many cases, a comatose person lacks the distinctive features of being human. Douglas Husak marks a distinction between being human and being a person, and argues that it is more accurate to speak of *person’s* rights (1984; 1985). Even the animal rights debate questions the necessity of being human or a self-contained source of moral obligations in order to be capable of possessing rights. Some have even gone so far as to advocate *human* rights for apes (Sagan 1977: 120; Mydans 2001)!

Advocates claim that human rights are universal and thus, transcend culture and place. This of course heralds an inherent clash with moral relativism and charges of cultural imperialism. For many of its passionate defenders, human rights are inalienable, indefeasible, and indefatigable, which means that everyone has them and no one can take them away. They are political specifications of Kant's supreme principle of morality, that every human being is of infinite worth and dignity and should be treated as an end, and never as a means only. On this interpretation, human rights are categorical and without exception. Michael J. Perry (1998) captures the idea of human rights with a two-fold explanation: because human life is sacred and inviolable, then some things should be done for everyone, and other things should not be done to anyone.

These understandings of the meaning of human rights raise several important questions. The UDHR is unclear as to who carries the responsibilities that correspond to the different claim rights. There have not been sufficient efforts aimed at formulating a methodology for operationalization and implementation of the UDHR or for making adherence a serious policy or goal.⁷ Much work remains to be done in terms of clarifying the 30 articles, weighing their relative importance, and balancing them. Unfortunately, rational discussion is hampered by those who regard them as equally absolute and make no effort to prioritize them.⁸ The interpretation and application of these values remains a theoretical muddle.

Beyond these questions there are dangerous *practical* problems that undermine the integrity of the human rights movement. In terms of implementation, many nations that are signatories to the UDHR have made little or no effort in conforming to the most basic principles of human rights. Nations that practice slavery, genocide, the oppression of women and minorities, child abuse and torture are not closely scrutinized. Moreover, these very same nations are able focus the IHRM's agenda. With the special strength of the shameless, human rights are manipulated by those with the greatest disregard for freedom, equality, tolerance, and happiness. Bentham's misgivings have proven to be prescient. In the remainder of this article, I will argue that the most prominent human rights organizations and their politicized leaders have effectively failed to protect the vast majority of victims of the worst human rights violations.

Part Two: The Painful Consequences of Politicized Human Rights

In a major article, "The International Human Rights Movement: Part of the Problem?," David Kennedy poses numerous questions that should concern all who support the human rights movement. He begins by noting the IHRM might "be more part of the problem in today's world than part of the solution" (2002: 101). At the end of his article he sums up by stating: "It may be that this is all one can say—promoting human rights can sometimes have bad consequences . . . good people, well-intentioned people in good societies, can go wrong, can entrench, support, the very things they have learned to denounce" (2002: 124–125). I shall now argue that these concerns are evident in the special treatment of Israel.

The Politicized United Nations

The UN is often described as the last, best hope for humankind. While many criticize the ways in which it functions, the UN remains the première multilateral forum in the world. It formulates international laws and conventions, confers consensus and legitimacy, and sets the agenda establishing the will of the international community. It is a leading force of the IHRM.

The UN is comprised of nation states, which base their policies on calculations of political interests. Nonetheless, public diplomacy is often presented in moral terms, and the UN conveys an image of moral authority and guardian for its own lofty principles. Unfortunately, image is not reality, and there is a yawning gap between the professed values of the world body and the actual application of these values. Where the UN does focus its attention reflects power politics, not human rights. I will show that the right to equality, to equality before the law and to equal protection of the law without discrimination (as stipulated in Article 7 of the UDHR) are easily cast aside or interpreted in ways that deny equality. Basic principles of justice (i.e., fairness, equality of treatment, impartiality, proportionality, and nondiscrimination on the basis of religion and race) are ignored, as a politically isolated nation is singled out for harsh scrutiny.

The equality of nations large and small is a vital moral principle enshrined in the UN Charter. One way in which the UN pays lip service to this principle is by following a policy of inclusiveness and universality. It willingly extends recognition and confers legitimacy on the world's worst regimes, and the majority of member states are sorely lacking in freedom and human rights.⁹ Whereas crass calculations of political, economic, and diplomatic interests can explain unequal treatment at the UN, they do not *justify* it. An appreciation for realpolitik does not nullify the important principles of honesty, fairness, and consistency. Equality of treatment requires a deliberate assessment of the relevant factors in order to treat like cases alike and different cases differently. The UN's harsh treatment of Israel has become so widespread, automatic, and cost-free that no such assessment takes place. This obsession not only prolongs the Arab/Israeli conflict, it comes at the expense of the pressing issues facing the planet. The UN administrators have failed to set limits to the unbalanced, politicized manipulation—even when this violates the principles of the UN Charter and the UDHR.

Even if there were an equality of nations, it would not imply moral equivalence among nations. No country is perfect, but this should not obscure the significant differences between the human rights records of Israel and its less open neighbors.¹⁰ To a greater or lesser degree, every nation state is guilty of violating human rights. All nations deserve to be monitored and when appropriate, exposed. It is correctly assumed that violators care about their images and might change their behaviors and policies when the costs of those actions are raised. This holds true for dictatorships, as well as democracies. Human rights watchdogs are supposed to name and shame violators in an effort to stop them and protect victims, or at least, to raise consciousness and damage the violators' reputations. This vitally important component of fighting for human rights has been compromised. There is no commitment to the equality of nations and the fair application of human rights principles. One country is constantly in the spotlight, while many more governments bask in the darkness and get away with mass murder.

The UN's Obsession

Nowhere has the moral failure of the UN been more apparent than in what Daniel Patrick Moynihan termed its "assault on Israel—the most vulnerable of the democracies" (1977: 21; 1978). At the UN, Israel is singled out for more intense scrutiny and held to higher standards than any other country. This is clear over the decades from the hundreds of one-sided resolutions of the General Assembly, Security Council, Economic and Social Council Commission, Human Rights Commission, and Commission on the Status of Women. Despite the inordinate focus on the Arab/Israeli conflict, the UN overlooks the aggressions, terrorism, anti-Semitism, genocidal agendas, and violations of human rights and international law

perpetrated against Israel by Syria, Iran, the Palestinian Authority, and many of their allies. The UN is unable to define terrorism, and only recently has it begun to address anti-Semitism.¹¹ The embrace of the Arab campaign to delegitimize Israel is evident in the numerous special committees, investigations, rapporteurs,¹² and the historically unique perpetuation of the Palestinian refugee problem.¹³ Only the Palestinians have an entire UN division dedicated to promoting and protecting their rights, and Israel is the only country for which the UN has created its own permanent interstate human rights monitors (Bayefsky 2004; Dennis 2003: 384). By focusing so intensively on “the question of Palestine” and spending over half a billion dollars annually on it, the UN places the Palestinian cause at the top of its agenda. It has shed any pretense to evenhandedness. Over the decades, the UN administration and member states have allowed the hostile forces arrayed against Israel to dominate the agenda and tone of numerous organs, agencies, committees, fora, meetings, and programs. As an institution, the UN functions as a “vast propaganda machine” for maligning Israel.¹⁴ At times, the rhetoric expressed in official UN proceedings instantiates stereotypical anti-Semitism in its demonization of the Jewish people and religion. The attacks on Jews and Judaism are not limited to attacks on Israel or Zionism.¹⁵ This violates the anti-discrimination and anti-racism principles of international law, as espoused by the UN Charter, the UDHR, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The UN Charter proclaims the equality of all nations large and small; however, the UN allows and encourages a large bloc of hypocritical, oppressive dictatorships to gang up on a small, isolated democracy. The discrimination against Israel is also manifest by the fact that it is the only member state denied representation on the UN’s most important organs and commissions (Dennis 2003).

Year after year, the UN Commission on Human Rights spent far more time specifically criticizing Israel than any other country.¹⁶ Genocide in Cambodia, Indonesia, Rwanda, Congo, Algeria, Lebanon, and Sudan; slavery in Saudi Arabia, Mauritania, Western Sahara, Mali, and Sudan; and, starvation in North Korea, Burundi, Liberia, Ethiopia, Niger, Angola, and Sudan, did not merit much attention in comparison. Making matters downright embarrassing for those who care about the UN and human rights was that many of the worst offenders had seats on the commission. Nations such as Sudan and Indonesia found that focusing the agenda on Israel distracted attention from the most serious violators. This tactic proved successful for years, because the supposedly responsible members of the commission and the human rights watchdogs went along with the charade. Western European countries, Amnesty International (AI), and Human Rights Watch (HRW) were supportive of the condemnations of Israel; and, AI publicly bemoaned the “inaction” of the Commission to force Israel into compliance (see, e.g., AI 2004a). Neither AI nor HRW objected to the unique focus on Israel (AI 2003a; HRW 2003a).

Responding to mounting criticism that the UNCHR made a mockery of human rights, the UN recently replaced it with the Human Rights Council. The reform effort would be comical if it were not tragic. The criterion for membership is geography, not commitment to human rights. True to form, in its first meeting in June 2006, the Council spent one-third of its time criticizing Israel, the only country specifically named and shamed. Furthermore, the HRC institutionalized the mechanisms by which Israel will automatically dominate the agenda every time it convenes. This perversion of procedural justice is an injustice which undermines the integrity of the UN and human rights. The UN administrators failed to correct the systemic nature of the problem. To their credit, HRW and AI expressed

reservations, but also praised the new body as a major improvement (HRW 2006b, 2006c; AI 2006a, 2006c).

This intense focus would make sense if Israel were indeed the worst human rights offender on the planet, or even in the top thirty. But by *any objective measure*, this is not the case. While the government of Israel does violate human rights in numerous instances—for which it should be criticized—it is stunning how much this consumes the international agenda. Even with the harshest interpretation of Israel's treatment of Arabs, which does not take into account cause and effect, context, and Israel's extremely difficult predicament of facing existential war—the violent tragedy of the Arab/Israeli conflict does not come close to other human rights disasters in the Arab world and elsewhere.

Malign Neglect

A corollary of hyper focus is the scandalous neglect of dire emergencies. In the Democratic Republic of the Congo, there has been a genocidal free-for-all involving the Congolese government, rebel groups, and the armies of several neighboring countries. The death toll since 1996 is over four million and is the highest since World War II (Robinson and Walt 2006: 38; Polgreen 2006; see also USAID 2003). Human rights monitors have documented numerous cases of mass murder, rape, and cruelty. When the UN finally took action, it was ineffective, and the killing continued at a rate of 1000 people a day.¹⁷ The world media has virtually ignored this ongoing catastrophe.¹⁸ AI and HRW know all about the horrors, yet they have made a poor effort to inform the public of the worst loss of life and limb in a generation. As was the case during the 1994 slaughter of Tutsis in Rwanda, the IHRM was focused elsewhere.

Before the ethnic cleansing in Darfur, a genocidal civil war raged in the Sudan for over twenty years. Sudanese governments conducted a jihad against the Christian and Animist people in the South (Martin 2002; CIA 2006). Over two million people were killed, mainly civilians from the South (Martin 2002: 111; Petterson 2003: 37, 252 n.). Slavery, mass rape, and torture were routine (U.S. Dept. of State 2002). Hundreds of villages were wiped out, and millions are refugees (Martin 2002: 111). Adding to the tragedy is that this genocide could have been prevented. The government's destruction of non-Muslim citizens and their property might not have happened had the international community made it a top issue (HRW 2004a). Despite the scale, scope, and duration of this genocide, it was never a priority on the UN's agenda.¹⁹ AI and HRW dutifully reported what was happening; however, they failed to mobilize world public opinion to do anything significant. Like the UN, they dedicated *far* more attention to the Palestinians. When the warring sides reached an agreement in 2003, the Sudanese government saw no reason not to use its genocidal tactics against non-Arab Muslims in Western Sudan.

After a full year of slaughter in Darfur, AI took notice. Finally, the IHRM committed serious resources and the media alerted the public. Given the Sudanese context, it is valid to ask: "Why so much so late?" (Prunier 2006). Unfortunately, the IHRM's success at getting Darfur on the agenda was not enough. The UN²⁰ and the Arab League²¹ protected the Sudanese regime, and the international focus diminished after the Indian Ocean Tsunami in December 2004. The genocide continues. Hundreds of thousands have been killed in Darfur, and the war has spread to Chad and now the Central African Republic. Perhaps at some point the leaders of the IHRM will understand the cost of playing favorites. The ignorance excuse "we didn't know" was never true regarding Sudan.

The Algerian civil war began in 1991, when the socialist government cancelled an election and outlawed the Islamic National Front, which was poised to control the Parliament.

The Islamists revolted and war ensued for over a decade. Some 200,000 civilians were killed and fifteen thousand people are still missing (Smith 2004; Economist 2006). Despite the war's profound importance, the UN demonstrated little interest toward resolving or even managing it. The Arab League ignored the slaughter. Westerners were targeted, and there was very little media coverage. AI, HRW, and the Red Cross committed few of their resources. The politics of indifference rendered this human tragedy unworthy of the world's urgent attention.

The Politicized NGOs

Whereas the UN is comprised of nation states that exist in the world of realpolitik, the NGOs are not supposed to be subject to the same pressures and calculations of political and economic interests. They can uphold human rights and IHL by providing checks and balances on governments and partisan groups. However, instead of acting independently, many follow the lead of politically motivated nation states. This is not to say that the major NGOs are *as* dysfunctional as the UN and governmental organizations. The ICRC, AI, and HRW have a worldwide focus and often monitor and report on problems that the UN ignores. Yet, the focus of their attention and the allocation of their resources still coincide with the UN's biased agenda. Their leaders are distracted and their organizations reflect a poor sense of priorities. Even with the proliferation and rise of human rights NGOs with their multi-million dollar budgets, their ready access to the media and politicians, the technology and information revolutions, the rise of international law, the emergence of global civil society, and the increased awareness of human rights, the large scale atrocities continue to happen: underreported and forgotten. They have fumbled their special responsibility to function as watchdogs over nation states, defenders of human rights, and guardians of IHL. It is time they be held accountable.

Like the UN, the major NGOs have made Israel a favorite target for their scrutiny and opprobrium. They have spent a disproportionate amount of time and resources reporting one-sidedly on the Arab/Israeli conflict. A recent short-term study which factored population size, found that AI scrutinizes Israel far more than any other country (Capital Research Center 2006: 5). In a series of quantitative studies, NGO Monitor shows that HRW focuses disproportionately on Israel and establishes a pattern of political bias (NGO Monitor 2006; see also Muravchik 2006). Over the years, AI has produced more documents critical of Israel than it has for Algeria, Morocco/Western Sahara, Mauritania, Bahrain, Kuwait, Djibouti, Oman, Qatar, Comoros, and the United Arab Emirates (UAE) *combined*.²² By the same measure, HRW published more documents naming and shaming Israel than it published on Algeria, Jordan, Syria, Morocco, Mauritania, Djibouti, Comoros, and Yemen *combined*.²³ From a human rights perspective, what is it that makes Israel so deserving of more critical attention than Egypt, Algeria, Syria, Saudi Arabia, Iran, the Congo, or the Russian Federation?²⁴ Even if these countries are closed to monitors, dangerous to visit, or intolerant of criticism, there is plenty more AI and HRW can do to publicize, name and shame, scream truth to power, raise consciousness, and mobilize public opinion. The problem of malign neglect has devastating consequences. It works to the benefit of the world's worst regimes and the detriment of their millions of victims. By any objective measure, their pain and suffering merits far more attention.

The Political Semantics of Occupied Territory

An example where Israel is singled out, from among all the nations of the world, for special scrutiny and treatment is its military occupation of territory seized in 1967. It is

astonishing to note that the ICRC, AI, and HRW rarely make mention of the politically-charged terms “military occupation” or “occupied territories” anywhere else.²⁵ The UN, which has persistently focused on Israel’s case, makes no room on its current agenda to deal with China’s occupations of Tibet and a large swath of territories seized from India; or, Russia’s continuing occupations of territories taken from Finland (Karelia) and Japan (Kurile Islands). Scant attention is given Morocco’s occupation of Western Sahara, and the Turkish occupation of Northern Cyprus.²⁶ Each of these seizures of other nations’ and peoples’ territory entails different legal and historical circumstances. And, each merits the attention and concern of the international community. Like the politicized nation states, the major NGOs downplay or ignore all cases but one. *None* of these occupations is referred to as an occupation (if it is even mentioned at all) by AI, HRW, and the ICRC.

A case in point is the Turkish occupation of Northern Cyprus. For years, AI and HRW followed the EU’s “non-involvement” policy (Sonyel 2002–2003: 24; Neuwahl 2001; Hugg 2001) and ignored the issue altogether.²⁷ They ignored a belligerent military occupation that ethnically cleansed over 200,000 Greek Cypriots from the north, forced 45,000 Turkish Cypriots to leave their homes in the South, and transferred more than 60,000 Turkish citizens from the mainland to live on Cyprus.²⁸ Over 2000 Greek Cypriots disappeared and are still missing.²⁹ The Churches in the Turkish controlled North were destroyed or desecrated, and Christian cemeteries were vandalized (Morris 2002). The number of Turkish troops deployed in Northern Cyprus to this day exceeds the number of soldiers Israel has ever deployed in the West Bank and Gaza Strip.³⁰ The only nation that recognizes the Turkish Republic of Northern Cyprus is Turkey. But for over thirty years, the Turkish military occupation remains intact. The NGO watchdogs have voted themselves off the island.

Unlike Cyprus or Western Sahara, the plight of Tibet is well-known. In terms of informing the public, the human rights movement has achieved some notable success. Yet, along with the nation states, the ICRC, AI, and HRW do not contest China’s claim to sovereignty over another country and its people with a distinct language, culture, religion, and historic experience, and instead categorize it as a matter of internal repression. In so doing, Tibetans are merely the best known of China’s repressed ethnic minorities. Rather than offend China, the UN keeps the issue off its agenda.³¹ China is too powerful and too important to the international system. While nations are intimidated for political and economic reasons, AI, HRW, and the ICRC have irresponsibly followed suit. They have acquiesced to China’s claim that Tibet is an “internal matter,” even though this is a paradigm case of a belligerent military occupation. There is a clear aggressor and a clear victim. China invaded a peaceful neighbor, and for the most part, the Tibetan response has been nonviolent. But instead of standing up for the Tibetan nation, the IHRM leadership has timidly conceded the territorial issue. Without sufficient moral support from the IHRM and no political support to contest China, the Tibetan government-in-exile has given up on independence and seeks only autonomy.

Despite the urgency of this tragedy, and the vast scale and scope of China’s countless human rights violations, the major human rights organizations still expend more resources documenting their one-sided approach to the “Israeli colonies” in the “Occupied Palestinian Territory.”³² By referring to Jewish communities as “colonies” in “occupied *Palestinian* territories,”³³ AI denies the Jewish connection to Judea. It promotes the uncompromising political agenda of one side and prejudices the outcome of pending territorial negotiations. Not only does AI embrace the Palestinian position on nearly every key issue,³⁴ it also seeks to undermine Israel’s tenuous diplomatic position by lobbying the US and EU on behalf of the Palestinian cause (Kahn 2004).

By accepting the terminology from the Palestinian Authority's media kit, the major human rights organizations reinforce the public position of one side, seriously compromising any semblance of neutrality. That so many repeatedly use one-sided terminology to the extent that it becomes mainstream, does not make this usage objective, accurate, or consistent. Before the 2003 occupation of Iraq, the Palestinian leadership repeatedly claimed that they represent "the only people in the world still living under foreign occupation" (Arafat 2002). Even though this was patently false, with so much international support, they could get away with making such claims. The UN, ICRC, AI, and HRW all conveniently defined the terms of this conflict uniquely in favor of the Palestinians, much as the UN provides a unique definition of Palestinian refugees.³⁵ The bias is underscored by the inconsistency of not applying the term "occupied territory" to the other cases. They have done a valuable service to China, Russia, Morocco, Turkey, etc., but a terrible disservice to the Tibetans, Assamese, Ainu and Japanese, Sahrawis, Greek Cypriots, and others. The other occupations in the world have been redefined and eclipsed from the headlines. The ICRC, AI, and HRW have not made protecting these victims of occupation a priority. They have in effect, given the occupiers a freer hand to consolidate their oppressive land grabs by classifying these cases as "internal matters."

Why is this Occupation Different from All Other Occupations?

Perhaps, there is something unique about Israeli occupation of territory or treatment of Palestinians that merits the singular attention and condemnation of the IHRM.³⁶ Whatever it may be, I can find no relevant reason why the Israeli occupation is the one that gets the label and the world's attention. I do not wish to argue for or against the policies of the Israeli government, as this is beyond the scope of my article. I recognize that there are numerous human rights violations arising from Israel's control over a hostile population, and the fundamental problem of ruling territories without granting citizenship to the inhabitants. However, examining what is unique about the case of Israel leads to the conclusion that other ongoing occupations merit far more attention and condemnation.

First of all, Israel was not the aggressor in 1967. Israel fought in self-defense.³⁷ Had Israel been defeated, there would have been no occupation of Israel. Nasser and other Arab leaders made it abundantly clear that their objective was to destroy Israel. While Abba Eban led a desperate, unsuccessful Israeli effort to resolve the problem diplomatically, the armies of Iraq, Libya, and Algeria were mobilizing to support the Egyptian, Syrian, and Jordanian armies. Surrounded, blockaded, and facing an existential threat from overwhelmingly larger forces, Israel had no choice but to mobilize its citizens' army and defend itself.

Secondly, the territory seized from Jordan and the Gaza Strip seized from Egypt were not their sovereign possession, as these territories were taken by force from what the UN designated to be an Arab state and a Jewish state upon the termination of the British mandate of Palestine. They were already occupied or disputed territory before Israel took control.³⁸ The Arabs rejected the 1947 UN partition plan and opted for war. The war ended with an armistice, rather than a peace agreement, treaty, or surrender. The Arab states never accepted the 1949 cease-fire lines as Israel's border and refused to recognize their neighbor. Their policy goal was to erase those borders, which led them to war in 1967. The Egyptian military occupation of Gaza and the Jordanian occupation of the West Bank, which lasted from 1948 to 1967, were not recognized internationally. Yet, they did not merit the world's attention. Quite interesting in this regard is the original (1964) Palestinian National Charter, which explicitly renounced any claim to the West Bank and Gaza.³⁹ Territorial claims were

made against all of Israel, in its pre-1967 borders. The Palestinian leadership discovered the centrality of Gaza, the West Bank, and East Jerusalem only after it came under Israeli control. Likewise, the international community only became concerned after Israel took the territories in a defensive war.

Thirdly, unlike China, Russia, Turkey, and Morocco, Israel has been open to compromise and made several efforts to withdraw from Arab territory and “end the occupation.” Less than two weeks after the Six Day War, Israel offered to go back to the 1949 Armistice lines and return the Sinai to Egypt and the Golan to Syria in exchange for peace treaties.⁴⁰ There were no settlements or investment of Israeli resources in the territories at the time. Despite the strong biblical and historical connections to Judea, Samaria, Golan, and Sinai, a withdrawal in 1967 would have been far easier to implement—politically, economically, religiously, emotionally, and psychologically. The Egyptian foreign ministry recognized that there would never be a more generous offer, and urged Nasser to accept it (Bregman and El-Tahri 1998). Unfortunately, he rejected it, as did Jordan and Syria. The UN and NGOs did not exert any pressure on the Arab states to accept Israel’s offer. In September, 1967, the Arab League issued an unequivocal rejection of Israel’s offer by resolving that there should be no negotiations, no recognition, and no peace. In November, 1967, the UN Security Council passed the famous Resolution 242, which was accepted by Israel and Egypt, but rejected by Syria and the PLO for the next twenty-one years.

In the late 1970s, Israel responded to Sadat’s dramatic peace initiative by agreeing to a complete withdrawal from the Sinai peninsula. During the negotiations, Israel offered autonomy for Palestinians in the West Bank and Gaza. The PLO, with the full support of the Arab League, refused to negotiate. Yasser Arafat vowed to “chop off the hands” of “the stooge Sadat, the terrorist Begin and the imperialist Carter” (*L.A. Times* 1979). Egypt was ejected from the Arab League. Even the UN General Assembly condemned the peace agreement between Israel and Egypt.⁴¹ It was at this point in time that the Israeli government began a major building policy in the territories.

When the Arab position deteriorated drastically in the early 1990s,⁴² and the Palestinians were unable to maintain their rejectionist stance, serious negotiations over the territories finally began with the 1993 Oslo Accords. Under the terms of the ensuing Oslo II Interim Agreement (1995), Israel transferred civilian authority and responsibility for public order to the Palestinian Authority, bringing all but a fraction of the Palestinian population in the West Bank under Palestinian rule. Although many more points remained for negotiation, this brought an end to ‘occupation,’ as defined by international law.⁴³ Despite Arafat’s rejection of Israel’s Summer 2000 offer to withdraw from the entire Gaza Strip and nearly all of the West Bank, the subsequent war of terror and collapse of the Oslo agreements, the election of Hamas, and war with Hezbollah, a strong majority of Israelis still support territorial withdrawal to ‘end the occupation’ and enable the creation of a peaceful Palestinian state.

Fourthly, in applying international law on belligerent occupation *only* to Israel, the international community led by the UN gravitated to interpretations that set new precedents. The prolonged Egyptian, Jordanian, and Israeli occupations; the fact that the state of war that the Arab nations maintained against Israel did not end in 1949 or 1967; the fact that there has never been a state of Palestine; and, the many differences between the Arab/Israeli conflict and the context of the 1907 Hague Convention IV and the 1949 Fourth Geneva Convention, make the legal status of the disputed territories far from clear (O’Brien 1991: Ch. 8; Roberts 1990). The dominant belief may be that Israel occupies Palestinian territory; however, when this is examined in the context of the other occupations since World War II

(not to mention the dozens of prior cases), my contention is that the international consensus is based on power politics, rather than fair application of law.

The complexity of the Israeli/Palestinian conflict, particularly when contrasted with other occupations in the world today, makes it valid to ask why the human rights organizations hold Israel to a uniquely higher standard. China, Russia, and Morocco have weaker claims to their occupied territories, and their historical and human rights records are far more problematic. Yet, they have benefited immensely from the world's obsessive focus on Israel. For all intents and purposes, the NGO guardians of human rights and IHL have abetted this hypocrisy.

Lopsided Injustice

What we have is a problem of distributive justice. In a given society, distributive justice holds when the benefits and burdens of society are distributed fairly. In the context of universal human rights, distributive justice means that people, to the greatest extent possible, enjoy the realization of their rights and share in the responsibilities for respecting and providing for others' realization of their rights. The roles of the IHRM are to function as educators, providers, and activists to uphold the rights and dignity of us all. The human rights organizations are also supposed to serve as referee and watchdog—to cry "foul" and to speak out against violators of human rights by moral suasion, drawing attention to their deeds, shaming, and arousing the conscience of good people. Among the main functions of the NGOs is to "give voice to causes that have been ignored, forgotten, or marginalized" (McDougal 2004: 12).

Unfortunately, the IHRM is dysfunctional in terms of distributive justice—and the consequences are devastating. Thousands of referees are crowded into the tiny Israeli/Palestinian arena. Conversely, when it comes to the far more appalling human rights crises and the deadlier conflicts taking place in the Philippines, Burma, Malaysia, Aceh, Sri Lanka, Kashmir, Azerbaijan, Armenia, Chechnya, Uzbekistan, Belarus, Russia, Iran, Saudi Arabia, UAE, Yemen, Somalia, Uganda, South Africa, Nigeria, Angola, Ivory Coast, Liberia, Sierra Leone, and Colombia, they are either absent from the arena or too underrepresented to be effective. The asymmetric distribution of the benefits and burdens distorts public perceptions. Lopsided justice, divorced from considerations of fairness, proportion, and equality of respect and treatment, is injustice. This lopsided injustice has a multitude of negative consequences. For those who take the UN seriously, it is reasonable to conclude that Israel is the world's biggest human rights violator. After all, the hundreds of one-sided resolutions, special committees, rapporteurs, exclusions and other instances of discrimination and shunning, and the farcical human rights bodies, demonstrate the UN's contempt. Similarly, the time and resources lavished on the Palestinians to promote their cause internationally is indicative of the UN's obsession. This speaks volumes on where and for whom the UN is unconcerned. The distortion is such that distributive justice does not hold.

In like fashion, the ICRC, AI, HRW, and numerous other NGOs have focused obsessively on the Palestinian cause. Interestingly, they have demanded a large increase of human rights workers to monitor the West Bank and Gaza (HRW 2003b; AI 2006d). This promotes the misconceptions that here is the world's most urgent human rights crisis, and that there are not nearly enough human rights monitors and activists on scene. As I shall demonstrate, in comparative terms there are an inordinate number of humanitarian workers concentrated in these territories (see notes 46 and 55). In the section that follows, I provide a brief analysis to help understand the nature and extent of the problem.

Part Three: Analysis—How Good People Go Astray

I acknowledge that most of the people who comprise the IHRM are well-intentioned, and there are countless fine, noble people that deserve our praise and support. Yet, I have argued that several of the leading human rights organizations have acted unfairly and unjustly in their treatment of Israel. They are guilty of discriminatory treatment not only toward Israel and Jews, but also toward Arabs and Muslims. Violating the human rights principles they are charged with upholding undermines their credibility and the cause of human rights. In this section, I explain why I believe the leadership of the human rights movement has gone astray.

Marketing Lopsidedness: The Chosen Victims

In the real world, there is no perfect fairness, equality, impartiality, proportionality, or justice. It is, therefore, a given that some causes attract more attention and resources than others. But what explains the hyper focus on the Israeli/Palestinian conflict and the neglect of deadlier conflicts? One important factor easily overlooked is the Arab/Muslim genius for marketing the Palestinian problem in the international arena and shutting out the plight of the Kurds, Berbers, Copts, Assyrians, Sahrawis, Dinka, Nuer, Fur, Masaalit, Zaghawa, and Bahá'ís—to name but a handful of the persecuted minorities of the Middle East. The extreme human rights violations demand the attention of the IHRM. Out of the hundreds of conflicts in the world today, the Palestinians are big winners in the competition for attention, financial assistance, and international support. The imbalance merits scrutiny.⁴⁴

Allocating Limited Resources

One area where lopsided injustice is quantifiable is in the allocation of resources, such as personnel, time, and budgets. Human rights leaders must be “intensely strategic and practical in thinking about their work.”⁴⁵ AI, HRW, and the ICRC do their laudable work worldwide. Of course, they cannot be everywhere, so agendas must be set and decisions must be made. As serious and troubling as the Israeli/Palestinian conflict is, there are many other extremely alarming trouble spots throughout the Middle East, and the world that are all but forgotten. This neglect comes at great cost.

Unlike AI and HRW, the ICRC provides information on the distribution and allocation of country specific personnel and budgets. Their data supports my claim that their allocations are not based on providing humanitarian assistance and promoting IHL in a way that reflects neutrality, urgency, proportionality, or a hierarchy of need. Over the years, the ICRC has made support for Palestinians a top priority (Junod 1996: 291). As of 2006, their third largest operation is in the Palestinian territories.⁴⁶ For many years, the ICRC devoted *several times more* money and personnel to the Palestinians than for *all* of North Africa and East Asia *combined*.⁴⁷ These human rights disaster zones with nearly two billion people received a small fraction of the attention and resources in comparison. The ICRC and the other NGOs are entitled to allocate their resources however they wish. Their commitment to providing for the needs of Palestinian Arabs is commendable. However, as is the case with UNRWA, their largesse helps sustain the irresponsible, corrupt Palestinian leadership, perpetuate a miserable status quo, and prevent the compromises required for solving the conflict peacefully.

Focusing the Spotlight

It is not just the human rights guardians who have a lopsided, obsessive focus on the Israeli/Palestinian conflict. Israel has one of the largest foreign press corps in the world, and the largest in the Middle East (Cohen 1995; 1996: 46–47). Given Israel's small size, there are far more permanently stationed foreign reporters, journalists, correspondents, and video crews concentrated in Israel and the territories than anywhere else.⁴⁸ This distorts the public's perspective and appreciation of context (Chafets 1985). "Excessive force," a subjective term often employed to criticize the Israeli military, would take on new meaning if it were used in the context of the methods frequently used by the Syrian, Egyptian, Jordanian, or Saudi security police. But videotape of routine brutality in these closed societies is rare and broadcasting such images is virtually nonexistent. These "revolutions will not be televised."⁴⁹ Conversely, the Palestinian revolution will be televised daily before a worldwide audience in prime time. Appreciating this difference helps explain why Arafat thought it advantageous to continue in the role of victim by initiating the "Al Aksa intifada." This was preferable to negotiating for an independent state, which required compromise. It put Israel in a no-win situation and greatly harmed Israel's image. But, it also reversed most of the gains made during the 1990s, impoverished many Palestinians, and triggered an even harsher re-occupation. It severely undermined Israel's "peace camp," led to the construction of a security barrier, and a policy of unilateralism. Most painful are thousands killed and wounded, and that the prospects for peace and reconciliation are even more remote. Similarly, those leading Hizbollah recognized the propaganda value in shepherding the large influx of journalists to document Lebanese civilian casualties and avoid scenes of Hizbollah military and wounded (Ciezdlo 2006). Using civilians as shields not only hampers Israel's targeting ability, it greatly damages Israel's image and moral standing. A large contingent of journalists providing a steady flow of visual images works wonders. The loud accusations of disproportionate, indiscriminate force, and war crimes make one wonder how to characterize NATO's intensive, 78-day high-altitude bombing campaign against Serbia⁵⁰ or the US led bombing campaign in Afghanistan that deposed the Taliban.⁵¹ These bombing campaigns killed tens of thousands of civilians, caused destruction of civilian infrastructure, attacked places of worship, schools and hospitals, made widespread use of cluster bombs, and triggered massive refugee flows on a scale that dwarfs Israel's attacks on Hezbollah.

The world also demonstrates its fixation by the enormous sums of money and weapons it floods into the Middle East. But money does not increase happiness, especially when it entrenches vested interests, corruption, meddling, and influence peddling. The nations of the Middle East spend the highest percentage of their GNP on their militaries and import more military armaments than any other region of the world.⁵² The Middle East receives far more U.S. foreign aid than any other region.⁵³ Various Jewish and evangelical Christian groups worldwide make generous contributions to Israel. The UN, EU, US, various Corporations, Foundations, Arab and Islamic nations and individuals, Church groups and other organizations contribute huge sums of money to the Palestinians, who are the leading recipients of international charity. According to the World Bank, Palestinians in the West Bank and Gaza receive more annual financial aid per capita than any other people (Sharp 2006; Bennet 2004).⁵⁴ Rampant corruption in the PLO and PA did not stem the flow of funds. For decades, the PLO was the best financed revolutionary/terrorist group in history, and Yasser Arafat became one of the world's richest men (Samuels 2005; Forbes 2004).⁵⁵ Even with Hamas in power and some cutbacks of foreign aid, the Palestinians can still count on the world's largesse and remain the world's most popular aid recipient.

People around the world are deeply concerned about the Israeli/Palestinian conflict, and rightly so. But privileging the Palestinians as victims hampers the prospects of peace and comes with great opportunity costs. Those committed to human rights should also be concerned about the entire region, where numerous, more violent conflicts rage. The leaders of the IHRM must not be misled into disproportionate focus and misallocating their resources.

Zealotry

Perhaps the lopsidedness stems from a dynamic of organizational behavior, whereby zealots set the agenda by default because those in positions of responsibility are lazy and happy for activists to take over. If so, then this too is a failure of stewardship. Leaders of the IHRM who believe in the universality of human rights and upholding the principles of justice and fairness need remedy this problem. To allow those who have no genuine concern for human rights to apply principles of human rights selectively and hypocritically, in order to pursue their partisan political agenda, is to undermine the integrity of human rights. It lets tribalism violate the principles of fairness and equality of treatment. In the hands of people of bad faith, human rights becomes a propaganda club with which to beat their enemies. Selective outrage is war by other means, and the human rights organizations should not be manipulated by it.

Catering to the Customers: The Pleasures and Pains of Popularity

Part of the lopsidedness problem stems from the special interest that people have in the Holy Land, be it religious, cultural, political, historical, or economic. For better or worse, the Israeli/Palestinian conflict has a leading role on the world stage. Popularity is not necessarily a good thing. Massive concern functions to perpetuate and exacerbate the conflict. The theological interests of Jews, Christians, and Muslims make it far more difficult for Israelis and Palestinians to make the necessary compromises that could resolve the conflict. The inordinate amount of money and arms pouring in raises the stakes for violence and entrenches vested interests. Furthermore, the exceptionally high concentration of diplomats, reporters, activists, and human rights workers can actually make matters worse. For some parties, it is far more worthwhile to provoke a war knowing that their revolution will be televised. There are instances where violence is initiated and people are victimized precisely because there are sympathetic journalists and activists who will document it to one side's favor. Outsiders can be harnessed to a cause or used for propaganda purposes in the course of doing their job.

I am not suggesting that, in a sudden fit of moral clarity and corrective justice, the journalists and activists leave the disputed territories and rush to help in the Congo. But the ICRC should explain why it spends more money on Palestinians than it spends for *all* of South America *and* the English speaking Caribbean.⁵⁶ Whatever reasons AI pays far more attention to the Israeli/Palestinian conflict than the genocidal race wars, slavery, mass rape, and refugee starvation in Sudan and Mauritania, they have little to do with human rights. Diplomats, journalists, and clergy are not required to make human rights their priority. But for organizations charged with defending human rights and humanitarian law internationally, it is valid to ask why this one conflict is the longstanding favorite.

Perhaps some leaders of AI, HRW, and the ICRC make business calculations to concentrate their resources where there is greater consumer interest and the public is already somewhat informed. Shining a spotlight on the already well-lit Israeli/Palestinian conflict

can serve an educational function as a showcase for increasing awareness of human rights, and the role it plays in protecting people. If this is the case, then those leading their organizations should make it their business to do an exemplary job and remember their commitment to uphold human rights principles for all. Extra harshness for one side compared with understanding and leniency for the other amounts to playing favorites. Moreover, it buttresses a cause that uses indiscriminate violence to maximize civilian casualties, conducts 'military operations' from civilian areas, and abuses children (by indoctrinating racial hatred, using them on the front lines,⁵⁷ and celebrating child martyrs and suicide bombers as heroic role models).⁵⁸ The educational function would be more efficacious if it highlighted a less controversial case.

I contend that precisely because there are already plenty of people paying attention, it is all the more reason foreign human rights activists should keep alive the urgent human rights issues that the media and UN choose to ignore. The victims in these trouble spots should not be abandoned, and the victimizers must not get away with their crimes. Had the IHRM paid as much attention to the racist genocidal jihad in Sudan as it did to the Israeli/Palestinian conflict since 1982, then countless lives would have been saved. Not even the criminal government of Sudan, nor its Arab League and UN backers could have stood up to that level of persistent scrutiny. Hyper focus would have led to media coverage, and this would have mobilized people to pressure governments and the UN. The world would be a better place if the watchdogs had their priorities straight and understood when and where to bark the loudest.

Power Politics

A major contributing factor to lopsided injustice is power politics. The twenty-two members of the Arab League and the fifty-seven members of the Organization of the Islamic Conference have the numbers, wealth, resources, and clout to keep the Israeli/Palestinian conflict on the international front burner. Their solidarity on this issue makes it highly advantageous to prosecute the war against Israel in the international arena of politics and diplomacy. In this well-oiled campaign, the burning issue of Israel has persistently dominated the agenda of the UN, UNESCO, the International Labor Organization, UNCHR, and the Non-Aligned Movement—to the exclusion of so many other conflicts and human rights problems.

Manipulating the world to concentrate on Israel's human rights record has served the interests of the governments comprising the Arab League and the OIC handsomely. In addition to delegitimizing and demonizing Israel, there are other practical reasons for Islamic nations to lavish so much attention on the ongoing tragedy. The question of Palestine is *the* major source of unity for Arabs and Muslims. Moreover, it is highly valuable as a rallying point of domestic support, particularly for dictatorial regimes that require a villain to distract their subjects from misrule and need a scapegoat on which to blame their failures. Hatred of Israel is nurtured through state-controlled education and media and is thus widely popular. But it is by no means obvious that this distraction serves the true interests of the Muslim world. Most of the Islamic nations are misgoverned, corrupt, unfree, underdeveloped, and poor—despite an abundance of resources, talent, and assistance. These shortcomings are particularly acute in the Arab world.⁵⁹ Every one of these nations has an atrocious human rights record. But, they have proven themselves to be highly successful propagandists. Politics, petroleum, and marketing savvy have catapulted the plight of the Palestinians to the front of the queue.

The Open Society and Its Enemies

Perhaps large numbers of human rights workers gather in Israel because they have freedom to do their work in a liberal democracy. Even during wartime, Israel is far more open than any other country in the Middle East.⁶⁰ It is a much safer and easier place to conduct research on human rights violations. In Israel, there is a robust debate, a wide range of political representation, and complete freedom to criticize the government, religion, and everything else. Despite their shortcomings, and for all the intense, harsh criticism they receive, the government and people of Israel are far more active and concerned with human rights than any country in the Islamic world. Unwittingly, the IHRM demonstrates the irony of “Moynihan’s Law,” which holds that the greater the number of complaints, the greater the country’s protection of human rights.⁶¹

If foreign activists focus disproportionately on Israel because they have greater access or believe that their criticisms are better received and more influential than they would be with authoritarian regimes, they ought to make this clear. They should also explain why publicly naming and shaming is appropriate against some, while it is inappropriate, ineffective, or counterproductive against others. It would be revealing for international human rights activists to justify why the politically powerful or exceedingly repressive should not lose “face,” while lesser offenders deserve no such sensitivity (Appiah 2003: 103; Bell and Carens 2004: 314 ff). If the leaders of AI, HRW, the ICRC, and even the EU believe that harsh criticism of Israel is the coin of the realm for buying themselves credibility in the Arab/Muslim world, then they are being played for fools. Instead of making inroads to improve this abysmal human rights disaster zone, such appeasement only serves repressive regimes. The IHRM leadership should also recognize that severe lopsidedness in their criticisms and holding Israel to a unique standard is persecutory. It violates the principles of universality, equality, and nondiscrimination. When appropriate, those committed to human rights need to realize the unfairness of their treatment of democracies—and, the blind eye they turn toward dictatorships. As I have explained, this contributes to monumental failures of human rights organizations and large scale, severe violations of human rights.

Racism: The Human Rights Complex

Perhaps numerous human rights activists and organizations are guilty of that which they claim to abhor—racism. Dr. Charles Jacobs (2002) refers to what he calls the “human rights complex.” As he puts it, “look not at the oppressed; look instead at the party seen as the oppressor . . . The human rights community, composed mostly of compassionate white people, feels a special duty to protest evil done by those who are like ‘us.’”⁶² This might explain how Hindu mobs can kill thousands of Muslims or tear down an historic Mosque,⁶³ or Hafez al Assad could order artillery to destroy civilian neighborhoods in Hama (Syria’s fourth largest city) killing 30,000,⁶⁴ or Saudi Arabian security forces could kill over four hundred pilgrims at the Haj in Mecca⁶⁵ or expel over one million Yemenis,⁶⁶ or Kuwait could expel nearly 400,000 Palestinians without any reaction from the UN or even protests in the “Arab Street” (Farsoun and Zacharia 1997: 158). Confident that the diplomatic corps, human rights organizations, and foreign press would barely notice and hardly care, the government of Sudan was able to extend its ethnic cleansing campaign to its capital city when it forcibly expelled hundreds of thousands of non-Muslim Southern Sudanese and bulldozed their homes (Petterson 2003: 74, 189). Saddam Hussein could launch a sneak attack against Iran in its moment of weakness igniting an eight-year war that resulted in 1.5 million dead and not be branded as the aggressor by the international community (Lagassé

2003). The Iraqi dictator was able to destroy thousands of Kurdish and Shia villages, murder and torture hundreds of thousands of his own citizens and get away with it for years (Randal 1997). The UN, the US, the Europeans, and the Arab states (except Syria) supported him. It was not until he invaded Kuwait that the nations of the world withdrew support.

Anti-Semitism

As I have stated throughout, when Israel violates human rights it deserves to be criticized. Israel is not above the law and should be criticized when it is in clear violation. It is a canard to claim that any criticism of Israel is anti-Semitism (Dershowitz 2003: Ch. 31). But it is manipulative and unfair for incessant, harsh criticisms to persist in a context where far more serious violations of human rights in the Arab world are practically ignored. The NGOs must be particularly wary not to join forces in the demonization of Israel by singling out the Jewish state and holding it to a higher standard than any other country—particularly other countries during wartime. Such negative, unfair treatment contributes to anti-Semitism in effect, if not by intention. It feeds the prejudices and genocidal hatred that have distorted the priorities of the Arab and Muslim World and contributes to the escalation and perpetuation of the conflict. Despite the fact that the International Covenant on Civil and Political Rights protects people against advocacy of racial or religious hatred, the UN and human rights NGOs contribute to the campaign of incitement, hatred, and delegitimization of Israel. The effects of this campaign are undeniable. The increase in anti-Semitism in Europe and the Islamic world has reached a level not seen since the Nazi era. It is time for critical self-reflection and discussion on the policies, politics, and practices of the human rights organizations.

The Bigotry of Lower Expectations

I contend that malign neglect is not just negligence—it is racist. For those who claim that human rights are indeed universal, then it is condescending, patronizing, insulting, and racist to ignore the pervasive human rights violations of Arab countries, while asserting that Israel ought to behave in accordance with the human rights practices of enlightened countries in peacetime. That Israel is a liberal democracy may explain why it is held to a higher standard, but this is not relevant in the application of human rights that are supposedly absolute. For the other side of this double standard insinuates that its adversaries are less developed politically and morally, as if this excuses their transgressions on human rights. It implies that Arabs and Muslims are not accountable to the same universal principles—that they are not equals. It suggests that they are either backwards, immature, or uncivilized—and, thus not responsible for their actions.

Institutionalized Racism

The dynamics of racism are such, that people who consider themselves to be champions in the struggle against racism are often guilty of racism—whether they are aware of it or not. Favoritism toward those who claim or are perceived to be 'darker' betrays the most narrow, superficial (mis)understanding of what racism is and how it functions. Favoritism toward those who embrace the status of victims without addressing or even considering the extent to which their wounds are self-inflicted, and the results of incompetent

leadership, serves to fuel the problem by hindering the processes of understanding, compromise, taking responsibility, and finding pragmatic solutions.⁶⁷ Favoritism toward those who shamelessly exploit the bigotry of lower expectations to their benefit is bigotry. Prejudice against the politically weaker side that is based on hypocritical double standards is hostile and bullying. Using the extensive diplomatic power of the Arab and Islamic bloc of nations to promote their prejudice is racism. Promulgating ethnic and religious hatred and inciting violence through the control of institutions such as schools, clergy, and news media is institutionalized racism.⁶⁸ The Palestinians' ability to dominate the agenda of international institutions such as the UN, the International Court of Justice, the International Criminal Court, the Non-Aligned Movement, the World Social Forum, and several NGO's that are active in the IHRM results in the unfair persecution of one nation in the public arena. When so many official institutions are exploited to shield one side and bludgeon the other, this amounts to institutionalized racism. As such, it should be denounced and condemned by all who take human rights seriously and consider racism to be repugnant.

It is bad enough for politicized nation states to scapegoat Israel for their failures and shortcomings. It is scandalous that they use human rights as a preferred weapon to bash Israel. The human rights NGOs should not allow their cause to be hijacked for a campaign of incitement led by hypocrites with the world's worst human rights records. The moral integrity of human rights as a noble international enterprise, would be served if AI, HRW, and the ICRC stood up to this cynical abuse of power. A concerted effort is needed to address and remove the anti-Semitism and racism that has corrupted the movement. This does not mean they should stop monitoring Israel for its human rights violations. It means that they should not focus on Israel excessively and hold it to higher standards. Justice requires fairness, equality of treatment, consistency, and impartiality.

Part Four: Conclusions

I hope this article stimulates a much needed debate on the most serious moral issues facing the IHRM. There are many questions, both theoretical and practical to address. As the authoritative body that purports to express the will of the international community, the UN must recognize how politics has corrupted its integrity. Those who administrate the UN ought to re-read the UN Charter and UDHR. They must act justly to uphold equality of treatment, apply principles and standards fairly, and avoid bigotry, racism, and anti-Semitism. The UN secretariat must also recognize its responsibilities not to neglect the most urgent problems and priorities. They must not use their powers to shield wrongdoers from accountability nor allow the UN's agenda to be dominated and distracted by those with hateful motives. The UN must not act as a bully, picking on the politically vulnerable. It must protect the weak and use its resources to stop, rather than perpetuate suffering. At stake is nothing less than the moral legitimacy, credibility, and effectiveness of the institution that has squandered most of these assets. A priority for those who believe in the UN should be to educate leaders of nations to factor principles of honesty, fairness, and consistency into their interpretation of IHL, human rights and their calculations of interests. If the UN is to be the hope for humankind, it must reclaim the moral high ground.

For those who lead the major NGOs, there is also a need to examine the consequences of allowing their organizations to become politicized. Joining forces with nations, which are subject to political wheeling-and-dealing, horse-trading, and arm-twisting, constitutes a failure of principle when this leads to an emphasis that is unbalanced, biased, and negligent.

The ICRC cannot claim to be “impartial, neutral, and independent” when it takes its cue from the politicized UN and the distribution of its resources displays favoritism and lopsidedness. AI and HRW cannot in good faith claim to be fair and impartial when they direct their criticism disproportionately *and* adopt the perspective and terminology that serves one side in a highly complex, violent conflict. There is a need to restore perspective and evenhandedness. The power to shame is indeed a potent tool for promoting human rights. It is an abuse of this moral power when shame is unfairly concentrated against one party, to the neglect of others who violate human rights on a vastly greater scale. Human rights are supposed to protect everyone, and the NGOs need to balance—and in this case *lead*—the nation states. There are times when human rights professionals must speak truth to power and denounce hypocrisy, injustice, and those who all-too-often succeed in hijacking the noble principles of human rights to bash their enemies and deflect attention from their own cruelties.

Recognizing that the best defense is a good offense, the greatest abusers of human rights have succeeded because the leaders of the IHRM let them. Rather than discouraging such behaviors, the distracted IHRM rewards them. The hypocrites are not embarrassed to make human rights an issue because they are barely held accountable. Their aggressive offense is so effective that their closed societies are immune from the principle that people who live in glass houses should not throw stones. The cause of human rights will be better served when those who practice, advocate, or condone slavery, genocide, ethnic cleansing, torture, terrorism, and the denigration of women do not invoke human rights in bad faith.

Those committed to human rights need to recognize and address this problem, disassociate themselves from the hypocrites, reclaim their mission, and become part of the solution. Good, well-intentioned people need to make an honest, pragmatic reassessment of how they have entrenched and supported the very things they denounce. For all the good they do, they must also examine where their actions and inactions lead to bad consequences. Those who preach morality need to justify their policies or admit their mistakes and mismanagement. Attacking or dismissing the messenger suggests that those who specialize in naming and shaming can dish it out but can't take it. At stake is the status of human rights. Until the moral failures are corrected, fair and reasonable people will be justified in dismissing the credibility and sincerity of the collective IHRM, and justified in regarding human rights as subjective nonsense, dressed in a moral guise, resting upon a shaky foundation of stilts.

Notes

1. According to Bentham's principle of utility, “it is the greatest happiness of the greatest number that is the measure of right and wrong” (1776). Utilitarianism is based on hedonism (pleasure is intrinsically good, pain is bad), consequentialism (we judge actions by their results) and universalism (everyone's pleasures and pains are taken into account).
2. For the purposes of this article, I do not delineate the differences between the terms “natural” rights and the more contemporary term “human” rights. With respect to this point, I refer the interested reader to Nickel (1987). See also, Churchill (2006) and Pagden (2003).
3. The term, henceforth abbreviated IHRM, is used as a generalization for the many people who work to promote human rights in its many forms. For reasons of space, I concentrate on the most prominent institutions of the IHRM, namely the United Nations, the International Committee of the Red Cross, Amnesty International, and Human Rights Watch.
4. See John Stuart Mill (1861: Ch. 5; 1848: Book II, Chapter XII, section 2); Brandt (1993: 179–195); Gibbard (1984: 92–102); Hardin (1988: Chs. 3 and 4); and Sumner (1987).
5. For example, see Donnelly (1998: 20ff). See also, Shestack (1998); and Kennedy (2002).

6. However, Bentham would likely have objected to claims asserting that all persons possess universal human rights if this is intended to establish that such rights are not merely creations of legal authorities or the invention of a particular cultural or political tradition. See Churchill (2006: 21). Bentham would also likely object when legislators conflate or overreach with assertions of universal human rights.
7. The International Covenant on Civil and Political Rights does constitute an effort to implement the UDHR, but it is far from successful.
8. For human rights “purists,” the unity of human rights makes them indivisible and of equal importance, and thus not susceptible to rank ordering. I think this is problematic on both the theoretical and practical levels. The right to life and prohibitions against slavery and torture are more important than the right to a paid vacation.
9. See Freedom House (2006). The methodology for assessing nations’ commitment to political rights and civil liberties is based largely on the UDHR. See also the *Annual Reports* of AI and HRW.
10. Compare the extensive public human rights record of Israel with Syria, Egypt, Jordan, Lebanon, and Saudi Arabia. In terms of major human rights issues (prison conditions, police brutality, independent judiciary, death penalty, the status of women, ethnic, religious, and sexual minorities, respecting human rights activists, conscientious objection, asylum, cultural rights, economic development, press freedom, religious freedom, etc.), Israel has a much better record. See the *Annual Reports* of HRW and AI.
11. For the first time in its history, the UN held a conference on “Confronting Antisemitism” on June 21, 2004. See Bayefsky (2004: 42ff).
12. Among the full time mechanisms devoted to investigating, reporting, and holding conferences on Israel’s alleged violations of human rights are: the Special Committee to Investigate Israeli Practices Affecting Human Rights (1968); the Committee on the Exercise of the Inalienable Rights of the Palestinian People (1975); and, the Special Rapporteur to Investigate Israeli Human Rights Abuses (1993). The annual budget of these groups comes to millions of dollars. On the UN’s uniquely harsh treatment of Israel and exceptional embrace of the Palestinian political agenda, see: Becker (1988) and Schoenberg (1989).
13. Here I refer to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which for 2006 has a budget of \$471 million. UNRWA “is unique in terms of its long-standing commitment to one group of refugees and its contributions to the welfare and human development of four generations of Palestine refugees. Originally envisaged as a temporary organization, the Agency has gradually adjusted its programmes to meet the changing needs of the refugees” [Online]. Available: <http://www.un.org/unrwa/about/index.html>. The UN has also formulated a highly unusual definition of refugee only for Arab refugees from Palestine/Israel. (passim, note 35.) See Lapidoth (2002) and Dershowitz, (2003: Ch. 12). The UN helps perpetuate the refugee tragedy rather than solve it, and four million Palestinians have become professional political refugees. This policy is all the more acute because the Arab refugee problem would have been relatively easy to resolve in 1949, before the emergence of a specifically Palestinian nationalism.
14. See the United Nations Information System on the Question of Palestine (UNISPAL) home page for links to the hundreds of UN Resolutions, and to one-sided information. See also the Question of Palestine homepage: <http://www.un.org/depts/dpa/qpal/>, which also features a biased historical narrative, NGO reports, etc. See also, Bayefsky (1995).
15. On this, see volume 17 of *The Israel Yearbook on Human Rights* (Dordrecht: Martinus Nijhoff, 1987), esp. “Concluding Statement of International Legal Conference on Anti-Semitism, Anti-Zionism and the UN,” pp. 13f; Carey and Carey (1987: 29–40); and, Liskofsky and Arzt (1987: 41–67).
16. For example, at the 2004 meeting of the UNCHR, Israel was singled out for five resolutions, which passed by wide margins. At the 2003 meeting, Israel was condemned in five resolutions. The two harshest resolutions were sponsored by Pakistan and Syria, and co-sponsored by other Arab and Muslim countries, Cuba, and China. The irony of these countries setting the agenda

- should be obvious for anyone familiar with their human rights records. As if more attention was needed to condemn Israel, European countries initiated a resolution against Israel. It is particularly ominous that in 2002, the Commission sanctioned the use of “all available means including armed struggle” to fight Israel, as this formulation is often cited to justify terrorism against Israeli civilians. See Rabkin (2002: 846).
17. For a report on the UN’s failure in the Congo, see Dougherty (2003). For the death rate see, USAID (2003).
 18. *Time Magazine* featured the genocide in the DRC as a cover story, June 5, 2006. ABC News’ “Nightline” aired its broadcasts from the Congo January 21–25, 2002. However, these high-profile reports are an exception. As both *Time* and ABC News report, the world has virtually ignored this humanitarian emergency that has been raging for a decade.
 19. In the 1990s, the UN did assign a Special Rapporteur to investigate the problem. In 1996, Gaspar Biro submitted his report, noting that slavery in the Sudan is race-based and most of the victims are children. However, the UN, the UNCHR, and UNICEF took no effective action. The Security Council imposed sanctions but then lifted them.
 20. The UNCHR took up the issue at the 2004 session, while the ethnic cleansing continued, and the government of Sudan did all it could to delay and deny access to the Commission’s special rapporteur. There was no naming and shaming of Sudan—arguably the world’s worst human rights serial offender—which sat on the 53-member committee. The UN’s top human rights forum could only manage a softly worded draft resolution of concern, which was welcomed and supported by Sudan. See 2004 UNCHR Sudan Draft Decision, April 23, 2004. The resolution passed with the overwhelming support of fifty nations—opposed only by the US, with Australia and the Ukraine abstaining.
 21. The Arabization of Southern and Western Sudan and despoiling of the indigenous populations is supported or condoned by the twenty-one other members of the Arab League. Mauritania, for example, is also waging a race war against Black Africans. See “Mauritania’s campaign of terror: State-sponsored repression of black Africans,” Bayles (1999: Ch. 3). For criticisms of the UN, the Arab League, and the Organization of Islamic Conference, see Slim (2004; HRW 1994) 812, 823f).
 22. I visited AI’s websites on September 11, 2006 and observed 488 documents (news, press releases, reports, urgent actions) on Israel/Occupied Territories. For Algeria, the AI library has 151 documents; for Morocco/Western Sahara: 92; Mauritania: 49; Bahrain: 56; Kuwait: 34; Djibouti: 7; Oman: 15; Qatar: 16; Comoros: 2; and the UAE: 33. Israel is only surpassed by China (490) and the US (1,520).
 23. I visited the HRW websites on September 10, 2006, and counted 239 documents for Israel and the Occupied Territories; for Algeria: 64; Jordan: 45; Syria: 56; Morocco: 45; Mauritania: 8; Djibouti: 2; Comoros: 2 (neither report is about Comoros); and Yemen: 11.
 24. Both AI and HRW have written more reports against Israel than any of these other countries. I should point out that both NGOs have actually closed the gap between reports on Israel and some of the most terrible human rights violators in the past two years.
 25. I base this on studying the annual reports from the past several years, available on the internet. Thus, I refer specifically to *Amnesty International Report 2006* (as well as from 2005, 2004, 2003, and 2002), *Human Rights Watch World Report 2006* (2005, 2004, 2003, 2002), and the *ICRC Annual Report 2005* (2004, 2003, 2002, 2001). For a time, there was mention of the American led occupation of Iraq. Neither the ICRC, AI, or HRW considered the Syrian occupation of Lebanon to be an occupation.
 26. With the accession of Cyprus into the EU (and Turkey’s goal of joining), the UN finally put Cyprus on its agenda, although the effort to reunite the island failed. For the past thirty years, this military occupation has been largely ignored by the international human rights organizations. In the case of Morocco’s 1975 invasion and seizure of territory from Western Sahara, the UN seems to recognize that Morocco is in violation of international law. The UN Mission for the Referendum in Western Sahara (MINURSO) spends \$45 million each year to do very little. The

- referendum has not happened. Neither the UN nor the EU want to offend Morocco. See, Ross (2006).
27. In the *AI Report: 2004, 2003, 2002, 2001, 2000*, and beyond, Cyprus was not even mentioned, even though the *Reports* cover some 150 individual countries and territories. An entry on Cyprus appeared for the first time in the annual *Amnesty International Report: 2005* (and again in the *Report: 2006*). AI has a total of twenty-one reports on Cyprus in its library. Similarly, HRW has only two reports in its archive.
 28. See, Loucaides (2002). The European Court puts the number of displaced Greek Cypriots at 211,000, and the number of Turkish soldiers on the island at 30,000. *The Economist* (2003; 2004) states that there are 35,000 Turkish troops and 70,000 settlers from mainland Turkey on the island. Cf. *The Economist* (2005) which cites 30,000 Turkish troops in Cyprus. See also, Loizos (1981).
 29. See AI's annual *Report 2006* entry on Cyprus.
 30. The number 30,000 plus exceeds the number of troops the Israeli army has ever deployed in either the West Bank or Gaza. Even during the Six Day War, the IDF captured the West Bank with 16,000 soldiers and the Gaza Strip with 8000 soldiers. The Syrians deployed over 30,000 troops to maintain their occupation of Lebanon.
 31. The UN General Assembly passed three resolutions in support of Tibet in 1959, 1961, and 1965. Their effects were negligible. More significant are the decades of silence at the UN and the UNCHR.
 32. Here, I cite terminology from the *AI Report 2003* and *Report 2002* entry for "Israel and the Occupied Territories." See also, HRW (2006a).
 33. Emphasis added. The term "occupied *Palestinian* territories" came into usage at the UN in the 1980s, and it is repeated so often that it is now heedlessly mainstream. It is far from a neutral designation, as it presumes to settle the question of legitimate patrimony.
 34. For example, AI and HRW support the Arab interpretation of a "right of return" for Palestinian refugees. In describing "The human rights crisis arising from Israel's continued occupation of the West Bank and Gaza Strip, and armed Palestinian resistance to it," HRW (2003c) and AI (2003c) blame Israel for causing the "Al Aqsa intifada." This ignores the long history of Palestinian terror attacks prior to the 1967 occupation.
 35. UNRWA (2006b) defines Palestine refugees as "persons whose normal place of residence was Palestine between June 1946 and May 1948" and "the descendants of persons who became refugees in 1948. The number of registered Palestine refugees has subsequently grown from 914,000 in 1950 to more than four million in 2002, and continues to rise due to natural population growth."
 36. See for example, the terminology and policy statements of the UN, the Non-Aligned Movement, the ICRC, AI, HRW, Christian Aid, World Vision International, the Vatican, the World Council of Churches, NATFHE (Britain's National Association of Teachers in Further and Higher Education), the FIDH (International Federation of Human Rights Leagues), and the YMCA.
 37. The Egyptian dictator Nasser's expulsion of UN peacekeeping troops in the Sinai, his mobilization and deployment of Egyptian troops in the Sinai, his mutual defense pact with Syria and his rival King Hussein of Jordan, and his calls for Israel's complete annihilation, clearly fomented the war. Egypt's naval blockade of the Gulf of Aqaba and Jordan's artillery barrages and assaults on civilian targets in Jerusalem and elsewhere were both *casus belli*, according to international law. See Walzer (1977) and Hammel (1992). For an account of Israel's efforts to diffuse the crisis diplomatically, see Oren (2002).
 38. This applies to the Gaza Strip and the "West Bank"—not to the Sinai Peninsula or the Golan Heights.
 39. See The Palestinian national Charter, formulated by the Palestinian National Council in Cairo, 1964. Article 24 states: "This Organization does not exercise any regional sovereignty over the West Bank in the Hashemite Kingdom of Jordan, on the Gaza Strip or the Himmah Area. Its activities will be on the national popular level in the liberational, organizational, political and

- financial fields.” In 1968, the charter was amended, and the clauses renouncing the West Bank and Gaza were removed.
40. See Ross (2004: 22–24). See also, Pedatzur (1996: 47ff); Oren (2002: 313ff); and Eban (1977: 436). Prof. Avi Shlaim ignores the evidence and claims that “In fact, no offer was ever made” (2004: 32).
 41. See for example, UN General Assembly Resolution 34/70 from 6 December 1979, which “Condemns all partial agreements and separate treaties which violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area.”
 42. A constellation of events in the early 1990s marked a low point for the Palestinians, forcing them to the negotiating table. The defeat of the Iraqi military in the 1990–91 Gulf War, the rise of American influence, and the collapse of the Soviet Union left the Arabs sharply divided and many without their superpower sponsor. For the Palestinians, the first intifada had reached a dead-end. The public relations benefits had long since been achieved, and the uprising had turned on itself, with Palestinians killing more Palestinians (to settle tribal vendettas or as alleged collaborators) than Israelis. By supporting Saddam Hussein’s takeover of Kuwait, the PLO alienated its major financial sponsors in the Gulf states, triggered the expulsion of the affluent, 400,000-strong Palestinian community in Kuwait, and prompted its former financiers to throw their support to the Islamic fundamentalists. The Oslo agreement and the Declaration of Principles were the result of Arab weakness and crisis.
 43. Under international law, “occupied territory” is defined in Section III, Article 42 of the Fourth Geneva Convention: “Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised.” By this definition, the occupation remained in a portion of Hebron, the Golan Heights, and, on some interpretations, in portions of Jerusalem. See ICRC (2004b; 2006b). Particularly interesting is HRW’s miseducative, partisan interpretation of IHL. The occupation of Gaza ended in 2005, when Israel evicted the Jewish residents of Gaza and withdrew its army. HRW (2004b; 2006a) endorses the Palestinian view that Gaza remains occupied, as Israel controls its border with Gaza along with the common airspace and coastline.
 44. “The ubiquity of conflict worldwide creates fierce competition for international support . . . weak challengers hope to improve their prospects by attracting international assistance.” See Bob (2002; 2005).
 45. Kennedy (2002: 102). See also, Ignatieff and Gutmann (2003: 17ff), and Roth (2004: 65).
 46. See ICRC (2005b; 2006a). The projections for 2006 (before the summer conflagrations in Lebanon, Israel, and Gaza) decreased funding for the Palestinians to SF 42.8 million with a staff of 267. The largest operation was in Sudan, followed by Pakistan, where the ICRC assists earthquake victims.
 47. The last time such detailed comparative data was available was the *ICRC’s Annual Report 2001*. For North Africa, covering Algeria, Libya, Mauritania, Morocco/Western Sahara, and Tunisia, the ICRC had one office in Tunis, a budget of 2,512,613 Swiss Francs, and personnel consisting of five expatriates and ten locally hired staff. For Asia and the Pacific, covering Cambodia, People’s Republic of Korea, Japan, Laos, Mongolia, People’s Republic of China, Republic of Korea, Taiwan, Thailand, and Vietnam, the ICRC has a main office in Bangkok, plus two workshops in Cambodia. The budget for this region was SF 5,838,991 and personnel consisted of 17 expatriates and 43 locally hired staff. For Israel/Occupied Territories, the ICRC has 13 offices in Jenin, Tulkarm, Nablus, Qalqiliya, Ramallah, Jericho, Bethlehem, Hebron, Gaza, Khan Yunis, Majdel Shams, Jerusalem, and Tel Aviv. The budget for this area was SF 22,407,815, and a personnel of 130 expatriates and 90 locally hired staff (ICRC 2002). The personnel numbers and budget increased dramatically since then. In ICRC (2003), the Red Cross proudly states that it doubled its personnel to cope with the severe problems caused by “the current Palestinian insurgency against occupation”(pp. 301f), and more than tripled the budget to SF 79,351,000. The overwhelming majority of its largesse is concentrated on the

- Palestinian population (3.5 million) in the West Bank and Gaza. Moreover, these figures do not include the ICRC operations in Lebanon, Jordan, and Syria—a large portion of which is dedicated to Palestinians there.
48. On this see, Chafets (1985). Chafets ranked the foreign press corps in Israel as the third largest worldwide, at the time of his study. The Washington DC/New York area remains in first place with the most reporters, however, a great many of them are covering a far larger geographic area.
 49. Here I allude to Scott-Heron's poem (1970). See also Ghitis (2001).
 50. An accurate civilian death toll of NATO's bombing campaign will never be known. NATO, citing a HRW report acknowledges killing 500 civilians (NATO 2000). This is far lower than the Yugoslav estimates, which range from 1,200 to 5,000. See also MacDonald (2004); Daalder and O'Hanlon (2000); and HRW (2000).
 51. Herold (2002: 626–643) puts the civilian death toll from the first months of the allied bombing at around 10,000, and the deaths resulting from displacement in the tens of thousands. See also Benini and Moulton (2004); and Jones (2004).
 52. For arms purchases and GNP see U.S. Dept. of State (2003). Regarding arms purchases: "The Near East has historically been the largest arms market in the developing world." It is only in the most recent CRC report that Asian nations spent more than the Near East. See Grimmett (2005: 18).
 53. Currently, at 20 billion per year, Iraq is the largest recipient of US aid, by far. Israel and Egypt had been the major recipients of U.S. foreign aid, since President Carter sweetened the deal made at Camp David in 1979. They still remain generously supported by the United States.
 54. Sharp (2006) and Bennet (2004). Bennet states that one-third of the Palestinian GNP comes from foreign aid, and cites the World Bank that this "works out roughly to \$310 a person, more aid per capita than any country has received since World War II."
 55. See Samuels (2005). Samuels writes that Arafat siphoned off about \$3.5 billion for political patronage and kickbacks during his last ten years. See also *Forbes* (2004).
 56. See the ICRC (2006a). The tally includes: Haiti; Antigua, Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent, the Grenadines, Trinidad and Tobago; as well as Venezuela, Columbia; Peru, Bolivia, Ecuador; Argentina, Brazil, Chile, Paraguay, and Uruguay. According to ICRC (2003), it spent SF 79,351,000 in Israel, the Occupied and Autonomous Territories. It spent SF 52,647,000 for *all* of Latin America and the Caribbean (p. 372). Afghanistan was the only country receiving more aid (p. 370).
 57. There are many examples of children being sent to confront Israeli troops. At times, children are used as human shields, providing protection for gunmen. Children are also used as scouts to probe Israeli defenses. There are also cases where children are used as couriers for bombs or other weapons. Most disturbing of all, are instances where children are used as suicide bombers. Using children for war constitutes a serious violation of children's rights according to international law, the Fourth Geneva Convention (1949, 1977), and the Convention on the Rights of the Child (1989).
 58. This is done through such public institutions as naming schools, streets, sports teams, and summer camps after child martyrs or suicide bombers, and through television programming, commercials, posters, songs, etc.
 59. Here, the interested reader is referred to the recent United Nations Development Reports (2002; 2003) on the Arab World. The 2002 Report generated a great deal of publicity and alarm for its candid assessment on how the Arab countries had fallen behind the rest of the world in a wide variety of areas. See *The Economist* (2002b). It is interesting to note that the UNDP's Programme of Assistance to the Palestinian People provides about \$65 million per year.
 60. Syria, for example, has not permitted AI visits since 1997. See *Report: 2006*.
 61. Capital Research Center (2006). Both AI and HRW issue far more documents on the United States than anywhere else. Interestingly, while AI and HRW hyperfocus on the US, they have

- forgotten about Canada. As of Sept. 11, 2006, AI has issued 1520 documents on the US and 55 for Canada. HRW has issued 1,318 documents on the US and 33 for Canada.
62. Jacobs (2002) is the President of the American Anti-Slavery Group and Director of the Sudan Campaign. There are some cases where the ethnicity of the oppressor is not a relevant factor. Power politics, rather than the “human rights complex,” explains Russia’s ability to carpet bomb Chechen cities and towns and kill tens of thousands of civilians without significant consequences from the international community. The dearth of reporters, and the lack of videotape are also factors on how such events get downplayed, overlooked, and forgotten. See King (2003: 134–138).
 63. In late February and early March 2002, Muslim/Hindu violence claimed over two thousand lives. See Narula (2003: 41, 47ff); and *The Economist* (2002a). On December 6, 1992, Hindu nationalists destroyed the Babri Masjid, which Muslims built on the ruins of the Ram Temple after they destroyed it in the 16th century. This triggered riots which killed thousands (Crossman and Kapur 1997: 117f).
 64. See Ma’oz (1986: 32); and Lewis (2003: 157). Estimates of the death toll range from 5000 to 40,000. See for example, Brok, et al. (2006).
 65. On July 31, 1987, at the annual Haj, an Iranian led anti-American demonstration was brutally crushed by the Saudi security forces, killing over 400. The majority of those killed were Iranian. See *The Economist* (1987); and *Facts on File World News Digest* (1988: 297 C1).
 66. In retaliation for the government of Yemen’s support for Saddam Hussein’s invasion of Kuwait, the Saudi government expelled most of the 1.5 million Yemenis working in Saudi Arabia. “In addition to the one million workers expelled from Saudi Arabia, about 45,000 Yemenis fled from Kuwait and Iraq and about 2,000 from Qatar, Bahrain and the United Arab Emirates” (Okruhlik and Conge 1997: 560). See also, Stevenson (1993: 15).
 67. A case in point is the purposeful maintenance of the Palestinian refugee problem for several generations. See *supra*, n. 13, 35.
 68. See for example, reports published by the Center for Monitoring the Impact of Peace, which examines school textbooks and curricula in Israel and the Arab World, [Online]. Available: <http://www.edume.org/reports/report1.htm>; translations of Arabic documents, made available through the Middle East Media Research Institute, [Online]. Available: <http://memri.org/index.html>; and, reports from Palestine Media Watch, which monitors official Palestinian media broadcasts [Online]. Available: <http://www.pmw.org.il/new/>. What emerges is a record of miseducation that presents children with a dishonest historical narrative that denies legitimacy to Jewish claims to Israel, as well as indoctrinating children toward ethnic hatred.

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