

SETTING THE RECORD STRAIGHT

REFUTING THE COMMON LIES
TOLD ABOUT ISRAEL

~~Apartheid~~
~~Genocide~~
~~Colonialism~~

ANDREW PESSIN

ISGAP

THE INSTITUTE FOR THE STUDY OF
GLOBAL ANTISEMITISM & POLICY

The Institute for the Study of Global Antisemitism and Policy (ISGAP) is committed to fighting antisemitism on the battlefield of ideas.

ISGAP is dedicated to scholarly research into the origins, processes, and manifestations of global antisemitism and of other forms of prejudice, including various forms of racism, as they relate to policy in an age of globalization.

On the basis of this examination of antisemitism and policy, ISGAP disseminates analytical and scholarly materials to help combat hatred and promote understanding.

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People who believe absurdities will soon commit atrocities.

—commonly attributed to Voltaire

Acknowledgments

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¹ <https://www.chaimitzvah.org/>.

² <https://www.tarb.co.il/the-premodern-roots-of-the-islamic-hatred-of-israel/>.

³ His blog is available at <https://elderofzion.blogspot.com/> and his Twitter/X handle is @elderofzion.

Executive Summary

This essay examines—and refutes—many of the major lies regularly disseminated about Israel by its many detractors. It also shows that in many cases the reverse is true: not only does Israel do the opposite of what is alleged, but it is Israel’s enemies who are guilty of the charges leveled against it.

These lies individually and collectively exemplify the strategy of “The Big Lie,” a strategy endorsed by Hitler and the Nazis, under which the propagandist deliberately tells and repeats lies so enormous that people are not only inclined to believe them—falsely thinking that no one could lie so baldly and that the lie must therefore be true—but even to continue believing them in the face of counterevidence demonstrating their falsehood.

The lies fit neatly into a single package we’ll call the False Narrative:

There once was a country called Palestine, existing from time immemorial, ruled by the Palestinians and home to a few Jews with whom they got along nicely. Then the Zionist Jews began arriving from Europe in the 20th century, starting an ongoing “genocide” against the Palestinians and expelling hundreds of thousands (“ethnic cleansing”) as part of their project of “settler-colonialism,” thus coming to “occupy” Palestinian land (in 1948 and to a greater extent after 1967) and building “illegal settlements.” Palestinians who remained in Israel (and their descendants) are kept subjugated under “apartheid,” a political system that reflects and maintains “Jewish supremacy.” Those who were expelled to the “West Bank” (Judea/Samaria) now live under a crippling occupation, while those who were expelled to Gaza are kept in an “open-air prison.” All of the above proves that “Zionism is racism,” and that “resistance” to Zionism “by any means necessary” is entirely justified, including the massacre, rapes, torture, and kidnappings of October 7, 2023.

We refute each lie in order.

(1) “**Palestine**”—There was never an independent country called “Palestine” ruled by the people known today as “Palestinians.” Those people in fact were a broad mixture of immigrants from many different places who didn’t develop the “Palestinian” identity until well into the 20th century. On the contrary, the land was

named by or for the Jews, was long associated with and inhabited by the Jews, and those Jews who lived as a minority there before Zionism were generally treated as second-class citizens subject to persecution and violence.

In one sentence: There was never an independent country called “Palestine” ruled by the people known today as “Palestinians.”

(2) “**Zionist Jews**”—Jewish history in the Land of Israel began long before the arrival of “Zionist Jews in the 20th century.” Jews arose as a people in the Land of Israel, enjoyed sovereignty or dominant presence there for 1,400 years, never left, continuously returned, and most of all are not foreign to it. Zionism dates back to Abraham, and “Zionist Jews” have been living in the land for well over 3,000 years.

In one sentence: Zionism, Jewish history, and the continuous presence of Jews in the Land of Israel predates Islam and the Arab imperialist conquest by some 2,000 years.

(3) “**Genocide**”—The Jews, and Israel, are not and never have been perpetrators of “genocide,” not in 1948, not cumulatively, and not now in the current war against Hamas. The Palestinian population has grown exponentially since 1948, and in the current war Israel takes extraordinary measures to target only Hamas and minimize civilian casualties, setting a new global standard for urban warfare. On the contrary, the reverse is true: it is *Hamas* that openly endorses and attempts to perpetrate genocide against the Jews.

In one sentence: The Palestinian population has only exploded since 1948, and in the current war Israel is setting a new global standard in minimizing civilian casualties.

(4) “**Ethnic cleansing**”—The Jews have committed no ethnic cleansing, not in 1948 nor in the decades since. The Palestinian Arab refugee situation of 1948 was created not by Zionism but by the war the Arabs started, and the Arab population within Israel has only exploded since. On the contrary, the Arabs perpetrated ethnic cleansing against the Jews within the Land of Israel, and the Arab countries perpetrated a massive ethnic cleansing of their own Jews, in some cases destroying Jewish communities that were centuries or millennia old.

In one sentence: As of the 1947 UN partition proposal, there were *zero* Palestinian refugees; Zionism itself displaced nobody but on the contrary drew Arabs in.

(5) “**Settler-colonialism**”—The establishment of Israel was the opposite of “settler-colonialism,” being a *decolonial* project in which the original indigenous people of

the land regained their sovereignty. Those who immigrated in modern times did so as refugees (not colonists) who bought land and developed it for the benefit of all its inhabitants, displacing nobody until the Arabs started wars. In fact, the process bears no resemblance to typical land-grabbing colonial enterprises, such as those exemplified by the Muslim Arab imperialism and settler-colonialism that conquered much of the Middle East and North Africa, not least insofar as the Jews repeatedly offered to (and repeatedly did) give away their land in exchange for peace.

In one sentence: The establishment of Israel was a *decolonial* project in which the original indigenous people, with 3,000 years of history and continuous presence in the land, regained their sovereignty.

(6) **“Occupation”**—The claim that Israel occupies any “Palestinian” territory doesn’t even make sense, since there was no preexisting Palestinian state to *be* occupied. Nor is there any actual legal basis to the claim; if anything, international law supports presumptive Israeli sovereignty over the entire territory. Wishing the region belonged to “Palestine” does not make it so. Nothing precludes some territory becoming “Palestine” by negotiation and treaty, such as under the 1993 Oslo Accords; but until then it’s perhaps most reasonable to refer to Judea/Samaria in particular as “disputed territory.”

In one sentence: The claim that Israel occupies any “Palestinian” territory doesn’t even make sense, since there was no preexisting Palestinian state to *be* occupied.

(7) **“Illegal settlements”**—Jewish communities in Judea/Samaria are not “illegal,” despite efforts to twist international law to make them so. The primary instrument cited to judge them illegal, the Geneva Convention, does not actually apply here, but even if it did it would not forbid them. What would actually be illegal would be forcibly removing those communities, and the only party actually building illegally are the Palestinians, with the support of the European Union, in Area C.

In one sentence: The Geneva Conventions do not apply to Judea/Samaria, nor would they forbid Jewish communities there even if they did.

(8)–(9): **“Apartheid”** and **“Jewish supremacy”**—The allegation of Israeli “apartheid” is a defamatory lie, sustained only by twisting definitions, misrepresenting international conventions, and applying standards to Israel not applied to any other countries, including its enemies. Despite its imperfections, Israel in fact enshrines equality into its laws, is the only place in the Middle East where Jews and Arabs coexist, and its substantial Arab minority not only participates fully in society (in law, politics, medicine, education, etc.) but also enjoys more rights and freedoms

than Arab citizens or subjects do in most *Arab* countries. On the contrary, *genuine* apartheid may be found in the way Arabs treat not only the Jews but even other Palestinians.

In one sentence: Israel enshrines equality in its laws, is the only place in the Middle East where Jews and Arabs coexist, and its substantial Arab minority not only participates fully in society but also enjoys more rights and freedoms than Arab citizens or subjects do in most *Arab* countries.

(10) **“Gaza is an open-air prison”**—Before October 7, Gaza was nothing like an “open-air prison,” much less a concentration camp, but a place with many beautiful and luxurious hotels, restaurants, beach resorts, shopping malls, car dealerships, and so on, with relative freedom for Gazans to leave on vacations and then willingly return home. The Big Lie that it was a “prison” is especially pernicious, for “resisting imprisonment” seems to have convinced many to endorse and even celebrate Hamas’s barbaric October 7 massacre and its broader war to destroy Israel.

In one sentence: “Before October 7, Gaza had beautiful and luxurious hotels, restaurants, beach resorts, shopping malls, car dealerships, and so on, with relative freedom for Gazans to leave on vacations and then willingly return home.”

(11) **“Zionism is racism”**—Zionism is racist neither in principle nor in practice. It is a “human rights movement” for Jews, promoting their right to security and self-determination in their ancestral homeland, and in practice has produced a multicultural, pluralistic, and liberal state that is the opposite of racist. On the contrary, it is *anti-Zionism* that is racist in (1) being *against* the Jews; (2) treating the Jewish national movement, and the Jewish people, by standards it applies to no other people, including the enemies of Israel; and (3) promoting Muslim Arab supremacy.

In one sentence: Zionism is a “human rights movement” for Jews, promoting their right to security and self-determination in their ancestral homeland, and in practice has produced a multicultural, pluralistic, and liberal state that is the opposite of racism.

(12) **“Resistance is justified, by any means necessary”**—The slogans that anti-Israelists invoke to justify terror attacks against civilians in fact have neither a moral nor a legal basis. Their use involves the racist assumption that Israelis are purely evil and Palestinians have no moral agency, as well as the false assumption that Israel is “occupying Palestine.” More importantly, there simply is no “law” justifying “resistance,” and indeed international law is unambiguously clear on this

point: civilians are to be protected from targeted violence *without exception*. Nearly every single atrocity perpetrated by Hamas on October 7 is literally and explicitly proscribed by international law.

In one sentence: International law is unambiguously clear: civilians are to be protected from targeted violence *without exception*.

(13) **Appendix: “The Map That Lies”**—A popular and widely disseminated set of maps purports to show a “shrinking Palestine” and a “land-grabbing Israel.” It does this only by directly misrepresenting all the relevant facts. In fact, “Palestine” in the sense of “the territory over which the Palestinian Arabs have sovereignty” only came into existence for the first time as a result of the 1993 Oslo Accords. A more historically accurate set of maps is offered instead.

In one sentence: “Palestine” only came into existence for the first time as a result of the 1993 Oslo Accords.

Introduction

In this essay, I'll examine some of the major lies told about Israel on campuses and elsewhere. I'll not only refute each one but also show that, in most cases, (1) Israel in fact does nearly the opposite of what is being charged, and (2) it's actually Israel's enemies that are guilty of the charges. The lies will be familiar to anyone familiar with the campus scene. That they are so many, and that they are so "big" and so widespread, shows that this phenomenon isn't just about misinformation or ignorance or "inadequate nuance for a complex situation." Nor is it a matter of ordinary critique of Israeli policies or practices. On the contrary, it is a deliberate bad-faith campaign to dehumanize, delegitimize, and demonize, to portray Israel and Jews as the epitome of evil, as genuine monsters—which then justifies the many actions taken against them on campus and elsewhere, including boycotting, persecuting, physically attacking, and even killing them, as the campus celebratory response to October 7 demonstrates.

If this sort of strategy sounds familiar, it should, for it goes by the name "The Big Lie" and has a very well-known proponent.

All this was inspired by the principle—which is quite true within itself—that in the big lie there is always a certain force of credibility; because the broad masses of a nation are always more easily corrupted in the deeper strata of their emotional nature than consciously or voluntarily; and thus in the primitive simplicity of their minds they more readily fall victims to the big lie than the small lie, since they themselves often tell small lies in little matters but would be ashamed to resort to large-scale falsehoods.

It would never come into their heads to fabricate colossal untruths, and they would not believe others could have the impudence to distort the truth so infamously. Even though the facts which prove this to be so may be brought clearly to their minds, they will still doubt and waver and will continue to think there may be some other explanation. For the grossly impudent lie always leaves traces behind it, even after it has been nailed down, a fact which is known to all expert liars in this world and to all who conspire together in the art of lying.

—Adolf Hitler, *Mein Kampf*, I.10⁴

⁴ From the James Murphy translation, cited here: https://en.wikipedia.org/wiki/Big_lie.

As the famous quote attributed to Nazi Minister of Propaganda Joseph Goebbels similarly puts it,⁵

If you tell a lie big enough and keep repeating it, people will eventually come to believe it. The lie can be maintained only for such time as the State can shield the people from the political, economic and/or military consequences of the lie. It thus becomes vitally important for the State to use all of its powers to repress dissent, for the truth is the mortal enemy of the lie, and thus by extension, the truth is the greatest enemy of the State.

The Goebbels quote at least yields the optimistic thought that the truth can set people free by helping them escape from the Big Lie. Unfortunately, the track record would appear to support Hitler's view, namely that the Big Lie, even if refuted, still "leaves traces behind it" and that people once gripped by the Big Lie will even tend to *resist* the truth. In this age of social media, where fake news is nearly impossible to distinguish from real news and where most people seem to have neither the time nor inclination to care, the Big Lie has the capacity to become—and in the case of Israel and the Jews does become—the Enormous Lie that conquers and occupies the cognitive apparatus, never to be dislodged.

In other words, it may be impossible to counter the phenomenon.

But we must do our best.

The False Narrative

Most of the lies about Israel fit into a single package we'll call the "False Narrative."

There once was a country called Palestine, existing from time immemorial, ruled by the Palestinians and home to a few Jews with whom they got along nicely. Then the Zionist Jews began arriving from Europe in the 20th century, starting an ongoing "genocide" against the Palestinians and expelling hundreds of thousands ("ethnic cleansing") as part of their project of "settler-colonialism," thus coming to "occupy" Palestinian land (in 1948 and to a greater extent after 1967) and building "illegal settlements." Palestinians who remained in Israel (and their descendants) are kept subjugated under "apartheid," a political system that reflects and maintains "Jewish supremacy." Those who were expelled to the "West Bank" (Judea/Samaria)

⁵ It's not certain whether Goebbels actually said this, but even if he didn't it still illustrates the point. See https://en.wikipedia.org/wiki/Big_lie.

now live under a crippling occupation, while those who were expelled to Gaza are kept in an “open-air prison.” All of the above proves that “Zionism is racism,” and that “resistance” to Zionism “by any means necessary” is entirely justified, including the massacre, rapes, torture, and kidnappings of October 7, 2023.

This is the narrative disseminated everywhere, on campuses (through classes, lectures, rallies, and the Diversity, Equity, and Inclusion (DEI) bureaucracy), in secondary schools and even elementary schools, in graduate programs, through mainstream media and through social media, literally everywhere. It is on the basis of this narrative that our campuses have become so hostile to Israel, to Zionism, and therefore to Jews, and that many were inclined to see the barbaric October 7 massacre not as an atrocity but as a “liberating resistance” worthy of celebrating and even repeating.

Yet you could not fit more Big Lies into a single paragraph.

We shall address them in turn.

Big Lie #1:

There once was a country called Palestine, existing from time immemorial, ruled by the Palestinians and home to a few Jews with whom they got along nicely.

In short—no.

Let's start with the name "Palestine" itself.⁶ There are two main theories about its origin. The first is that it derives from a Biblical Hebrew word (*p'lishtin*) that means "invaders" and refers to the Philistines, a Biblical era people who invaded the Land of Israel from the Aegean Sea. The other, noting that the term first appears outside the Biblical context in a Greek history text dated several centuries BCE, is that it derives from the Greek word for "wrestlers."⁷ If you are wondering why ancient Greeks would name the region after "wrestlers," consider that (1) the Jews referred to themselves collectively as "Israel," (2) they referred to their land as "the Land of Israel," and (3) "Israel" in Biblical Hebrew means "wrestled with God." Either way, the name "Palestine" appears to be connected to the Jews, contradicting the claim that it derives from the name of the ancient homeland of the Palestinian Arabs. Would they really name their own country using a Hebrew word or the Greek name for the Jews?

For those who know the history, the Israelites/Jews had either sovereignty, autonomy, or a dominant presence in that land from about 1200 BCE (the approximate date of the Exodus from Egypt if regarded as a historical event, about two hundred years prior to the rule of King David and King Solomon) through at least the year 70 CE, when the Romans defeated the country of "Judea" (also named for the Jews or Judahites), destroyed the Jewish Temple in Jerusalem, and sent many Jews into exile.⁸ On finally conquering the Jews for good after the Bar Kochba revolt, two generations later in 136 CE, the Romans then gave Judea the new name of "Syria Palestina," allegedly a humiliating gesture to nullify the then 1,400-year

⁶ A good general discussion may be found at <https://www.jewishvirtuallibrary.org/origin-of-quot-palestine-quot>.

⁷ <https://library.biblicalarchaeology.org/article/when-palestine-meant-israel/>.

⁸ Many, but by no means all. In fact, a substantial Jewish population remained for centuries afterward, enough to launch the Bar Kochba revolt (132–136 CE), compose the Mishna (end of the second century CE), launch the lesser known Gallus Revolt (351–352 CE), and compile the Jerusalem Talmud (5th century CE). Based on these historical examples, as well as many others, it is clear that Jews have maintained a continuous presence in the Land of Israel until today.

Jewish history in the land by renaming it after those now long disappeared invaders, the Philistines. From that point onward, “Palestine” became a largely European name for the region, not widely used by Arabs or other Middle Easterners, many of whom referred to the region as Southern Syria. Neither was there ever an independent country called “Palestine,” much less one ruled by the Arab people known today as “Palestinians.” Nor, then, was it the case that immigrating Jews arrived in this “pre-existing Arab country” and took it over, as the False Narrative would have one believe.

Figure 1: The Ottoman Levant⁹



The Geography department, The Hebrew University of Jerusalem.

Administrative division under Ottoman rule between the years 1864-1871

Figure 2: British Mandate Palestine¹⁰



Great Britain's Division of the Mandated Area, 1921-1923

Indeed, there was not even a clearly defined region with definitive borders known as “Palestine” under the Ottoman Empire. The region was divided into several distinct provinces, the northern half being part of a province stretching north of

⁹ From https://zionism-israel.com/maps/Ottoman_Palestine_1860.htm.

¹⁰ From <https://www.jewishvirtuallibrary.org/map-of-the-british-mandate-1921-1923>.

today's Lebanon into Syria and administered from Damascus (hence "Southern Syria"), the southern half being an entirely distinct administrative unit, and Jerusalem constituting a third. "Palestine" only came into being as a distinct entity with well-defined borders as a result of the establishment of the British Mandate in 1920, but most Arabs in the region rejected both the name and the borders, seeing them as a colonialist imposition or invention. Thus, when anti-Israelists refer to "historic Palestine," it's not at all clear what they are referring to. There is nothing corresponding to it "from time immemorial," so they can at best be regarded as referring to Mandatory Palestine of 1920, a territory that the Arabs themselves rejected both in name and in borders—yet another odd thing to do if "Palestine" is your ancestral homeland.

As for Palestinian identity, although there were traces of the use of the term early in the 20th century, few identified as "Palestinian" in the sense of "Palestinian Arab" until perhaps the 1950s. In fact, the region experienced much immigration from all areas of the Ottoman empire and beyond in the 19th century and consisted of a wide mix of different people, Arabs and non-Arabs. Joan Peters's well-known book, *From Time Immemorial*, documents the 19th-century immigration of "Circassians, Algerians, Egyptians, Druses, Turks, Kurds, Bosnians, and others."¹¹ Another widely cited source documents that today's "Palestinians" are immigrants from many nations: "Balkans, Greeks, Syrians, Latins, Egyptians, Turks, Armenians, Italians, Persians, Kurds, Germans, Afghans, Circassians, Bosnians, Sudanese, Samaritans, Algerians, Motawila, Tartars, Hungarians, Scots, Navarese, Bretons, English, Franks, Ruthenians, Bohemians, Bulgarians, Georgians, Syrians, Persian Nestorians, Indians, Copts, Maronites, and many others."¹² Similarly, Daniel Pipes writes,

The authoritative *Encyclopædia Britannica* of 1911, written by Irish archeologist Robert Alexander Stewart Macalister, lists no less than 23 ethnicities under the "Palestine" entry: Afghan, Algerian, Armenian, Assyrian, Bedouin, Bosnian, Canaanite, Circassian, Crusader, Egyptian, German, Greek, Italian, Jewish, Kurd, Motawila, Nowar, Persian, Roman, Samaritan, Sudanese, Turkish, and Turkoman. Long as this list is, Macalister missed a number of ethnicities (including the Arabian, Chechen, Ethiopian, Iraqi, Lebanese, and Yemeni). He further found that "no less than 50 languages [were] spoken in Jerusalem as vernaculars."¹³

¹¹ Joan Peters, *From Time Immemorial: The Origins of the Arab-Jewish Conflict over Palestine* (JKAP, 1984), 196.

¹² Jacob de Haas, *History of Palestine: The Last Two Thousand Years* (The MacMillan Company, 1934), 258.

¹³ https://www.meforum.org/65936/muslim-aliyah?utm_source=Middle+East+Forum&utm_campaign=ef80b11dc2-MEFpr_06122024&utm_medium=email&utm_term=0_086cfd423c-ef80b11dc2-%5BLIST_EMAIL_ID%5D&goal=0_086cfd423c-ef80b11dc2-33977957&mc_cid=ef80b11dc2&mc_eid=25a0c600c4.

And here is President Franklin D. Roosevelt in a memo of May 17, 1939, urging the Arabs to accept the 1939 White Paper issued by the British because “the Arab immigration into Palestine since 1921 has vastly exceeded the total Jewish immigration during this whole period.”¹⁴ Even Hamas leaders openly admit that “every Palestinian can prove his Arab roots, whether from Saudi Arabia, from Yemen, or anywhere.”¹⁵ Palestinian last names often indicate their family’s heritage: al-Masri (the Egyptian), al-Djazair (the Algerian), el-Mughrabi (the Moroccan), al-Kurdi (the Kurd), and so on. There was no sense of Palestinians being a “single people” or an “ethnic identity” before the 20th century, and arguably the identity really only arose in response to the onset of modern political Zionism, particularly after the disastrous failed war that the Arab nations launched against the Jews in 1948. But if this identity only arose in response to Zionism, it’s simply false to say that Jewish immigration was to a previously existing country called “Palestine” populated by “Palestinians,” as there was no such country and no such people.

And if it wasn’t populated by “Palestinians,” it surely was never ruled by Palestinians, if by that you mean “Palestinian Arabs.” The Ottoman Turks had sovereignty over the region for 400 years, then the British from 1920 until 1948, and then the Jews, Jordan, and Egypt until 1967. Indeed, for many, the word “Palestine” during the Mandate period was primarily associated with the *Jews* of the Mandate, who created many important institutions—such as the *Palestine Post* (later the *Jerusalem Post*) and the Palestine Electric Company (later the Israel Electric Company)—and were widely referred to as “Palestinians.” Palestine did not belong to the “Palestinians,” in other words, as that word is used today, and never did, at least not until part of it was transferred to Palestinian Authority control under the 1993 Oslo Accords.

As for “getting along nicely,” there isn’t space here to describe the long and complicated history of Jews under Islamic rule. We will note simply that, while Jews generally did better over the centuries under Muslims than under Christians, including some periods of flourishing, they still lived largely as a despised, persecuted, and formally second-class minority up to the 19th century and beyond, subject to periodic (and overall numerous) episodes of violence and pogroms, including episodes of mass murder. A short list, from just the late 18th century onward, includes episodes in Libya in 1785 (where Ali Burzi Pasha murdered hundreds of Jews), Algiers (where Jews were massacred in 1805, 1815, and 1830),

¹⁴ <https://history.state.gov/historicaldocuments/frus1939v04/d812>.

¹⁵ <https://x.com/orenbarsky/status/1732121220697461028>.

and Marrakesh, Morocco (where more than 300 Jews were murdered between 1864 and 1880).¹⁶ As the Jewish Virtual Library puts it,

The situation of Jews in Arab lands reached a low point in the 19th century. Jews in most of North Africa (including Algeria, Tunisia, Egypt, Libya and Morocco) were forced to live in ghettos. In Morocco, which contained the largest Jewish community in the Islamic Diaspora, Jews were made to walk barefoot or wear shoes of straw when outside the ghetto. Even Muslim children participated in the degradation of Jews, by throwing stones at them or harassing them in other ways. The frequency of anti-Jewish violence increased, and many Jews were executed on charges of apostasy. Ritual murder accusations against the Jews became commonplace in the Ottoman Empire.

...

As distinguished Orientalist G.E. von Grunebaum has written, “it would again not be difficult to compile a lengthy list of persecutions, arbitrary confiscations, attempted forced conversions, or pogroms.”¹⁷

Turning specifically to Ottoman Palestine in the 19th century, Georges Bensoussan writes, in a recent article, of the general state of things:

In Jerusalem, as is often the case in the Arab-Muslim area, the Jewish condition was marked by a climate of humiliation and widespread fear, as witnessed in the nineteenth century by the Jewish traveler Abraham Yaari in his book *Voyages en Eretz-Israel*: “The Arabs are violently hostile to the Jews, and persecute the children of Israel in the streets of the city. If a notable or even lower-class citizen lays their hands on a Jew, we have no right to reciprocate, whether Arabs or Turks, for they are of the same religion. If a Jew is hit, he must adopt a supplicant attitude and not retaliate with unkind words, lest he receive even more blows....”¹⁸

Bensoussan then goes on to document several massacres, including major ones in 1834 and 1838.¹⁹

¹⁶ <https://www.jewishvirtuallibrary.org/the-treatment-of-jews-in-arab-islamic-countries>.

¹⁷ <https://www.jewishvirtuallibrary.org/the-treatment-of-jews-in-arab-islamic-countries>.

¹⁸ <https://www.fondapol.org/en/study/pogroms-in-palestine-before-the-creation-of-the-state-of-israel-1830-1948/>.

¹⁹ For a list of some five dozen incidents of ethnic cleansing, pogroms, and mass murders perpetrated by Muslim Arabs against Jews in Palestine and other regions of the Ottoman Empire and North Africa in the 19th century *alone*, see <https://medium.com/@Ksantini/the-list-of-crimes-committed-by-muslims->

Finally, the Wikipedia entry on “Antisemitism in the Arab World” also documents the 19th-century spread of the classic antisemitic “blood libel” throughout the Middle East and North Africa.²⁰ Though there are many variants, the “blood libel” is the allegation that Jews murder non-Jewish children and use their blood for ritual purposes. Wherever that libel spread, violence against local Jews often followed.²¹

If all the above, then, counts as “getting along nicely,” then one shudders to think what *not* getting along nicely would look like.

Thus the Truth: There was never an independent country called “Palestine” ruled by the people known today as “Palestinians.” Those people in fact were a broad mixture of Arab Muslim conquerors, local converts, and immigrants from many different places who didn’t develop a “Palestinian” identity until well into the 20th century. On the contrary, the land was named by or for the Jews, was long associated with and inhabited by the Jews, and those Jews who lived as a minority there before the birth of modern political Zionism were generally treated as second-class citizens subject to persecution and violence.

Some resources

Joan Peters, *From Time Immemorial: The Origins of the Arab-Jewish Conflict over Palestine* (JKAP, 1984).

William B. Ziff, *The Rape of Palestine* (Longmans, Green and Co., 1938).

Rashid Khalidi, *Palestinian Identity: The Construction of Modern National Consciousness* (New York: Columbia University Press, 2009).

[against-jews-since-the-7th-century-Off1a8eb0ad0](#). I’m unable to confirm all of those incidents and every detail reported, except to say that many are quite well known, the list includes the episodes I just mentioned in the main text, and the list is generally plausible.

²⁰ https://en.wikipedia.org/wiki/Antisemitism_in_the_Arab_world.

²¹ In fact, the 1840 Damascus affair, which is discussed in the source cited in the previous note, became internationally famous, not least because the allegedly “civilized” French officials in Damascus permitted and participated in the spread of the blood libel and possibly also in the resulting violence.

Big Lie #2:

Then the Zionist Jews began arriving from Europe in the 20th century...

This lie is primarily one of omission or implication. A kernel of truth serves as the peg on which to hang the lie: there *was* significant Jewish immigration from Europe in the early 20th century. But the lie is deliberately presented in this way so as to imply that (1) Jews *only* began their attachment to and presence in this land in the 20th century; (2) Zionism is only a modern phenomenon; and (3) the Jews that make up the population of the State of Israel are primarily Europeans, who in today's popular campus parlance are otherwise known as "western imperialist colonizers." These implications are the actual "Big Lies" being conveyed by Big Lie #2. In fact, Jews have an enormously long history and continuous presence in the Land of Israel dating back over three millennia and should therefore be regarded as legitimate residents there as much as anyone else. Moreover, in addition to those Jews who might be able to trace their ancestry there back to Biblical times, more than half the current Israeli population can trace their recent origins to *non-European* countries.

A Bit More Jewish History

When the roughly 1,400 years of Jewish sovereignty, autonomy, or dominant presence in the region finally ended with the failure of the above-mentioned Bar Kochba revolt (136 CE), many Jews were forced into exile, creating a "diaspora" of Jewish communities throughout the Middle East, North Africa, and Europe through the Roman Empire. Less well known is the fact that many Jews also remained in the region, as the center of the post-Temple Jewish religion shifted from Jerusalem to ancient Yavneh, some 20 kilometers south of Jaffa. As evidence of this, consider that the major Jewish religious text known as the Jerusalem Talmud was compiled in the Land of Israel around the 5th century CE. The composition of this text required a thriving community of scholars, which in turn required a thriving community in general.²²

²² At the time of the Arab Muslim conquest of the historical Land of Israel in the seventh century, Jews and Samaritans (a Jewish sect) probably remained a majority—i.e. were probably more numerous than Christians and other non-Jews taken together. Moshe Gil, *A History of Palestine, 634-1099* (Cambridge University Press, 1992), 3.

In other words, even with many of their people in exile, many Jews never left their homeland.

If Zionism is the belief that Jews ultimately belong in the Land of Israel—and that the Land of Israel ought to belong to the Jews, either for religious or other reasons—then Zionism began with Abraham in the Bible and lasted throughout the Biblical period, throughout the above-mentioned 1,400 years of sovereignty, autonomy, or dominant presence, and continued throughout the many centuries when many or most Jews lived in exile. From Biblical times, the Jews knew the land as the Land of Israel (i.e. belonging to the people of Israel, the Jews). The Hebrew Bible, the Mishna, and the Jerusalem Talmud were all composed there, while the Babylonian Talmud makes numerous references to it. The Hebrew Bible drips with Zionism, mentioning Jerusalem some 667 times; significant parts of the Mishna and Talmud are devoted to Jewish religious obligations that apply only in the Land of Israel; the Jewish mystical tradition of the Kabbalah perceives the Land as having major spiritual significance; and the past 2,000 years of Jewish liturgy simply bursts with expressions of Zionism. Indeed, Jews in exile remained focused on and committed to the Land of Israel, praying daily to be returned, facing Jerusalem when they prayed, and longing for the messiah to lead the prophesied ingathering of the exiles. Moreover, they returned continuously, in small and sometimes large numbers, both ordinary people and famous scholars (such Judah Halevi and Nachmanides), throughout their 2,000-year exile. They returned to the Land of Israel from everywhere in the diaspora, not just from Europe but also from North Africa and the Middle East, including various parts of the Ottoman Empire. Jews were already a majority in parts of the land by the middle of the 19th century, including Jerusalem, long before the modern movement of political Zionism was launched by Herzl in 1896.

As for the early 20th century, yes, most Jewish returnees during that period were European, from Eastern and later Western Europe, refugees escaping persecution and the worsening conditions for European Jews in the 1930s and 1940s, not to mention the Holocaust. But this was only at the end of a centuries-long process of return following 1,400 years of Jewish sovereignty or dominant presence in the land, which saw Jews rejoining those Jews who had always remained in the land. Moreover, in the years immediately before and after the establishment of the State of Israel, the surrounding Arab countries expelled most of their Jews, most of whom ended up in Israel—to the point where these so-called Mizrachi (or Middle Eastern) Jews now form the majority in Israel and have done for quite some time. The picture painted by the current lie—namely that the Jewish presence in the region only began with the “invasion” of 20th-century European Jews and thus constitutes an instance of “settler-colonialism”—is simply, blatantly, and dangerously false. It obscenely transforms the indigenous Jewish population, which has had a

continuous presence in the Land of Israel for millennia, into illegitimate foreign invaders.

Thus the Truth: The Jewish presence in the Land of Israel began long before the arrival of “Zionist Jews in the 20th century.” Jews arose as a people in this land, enjoyed sovereignty or dominant presence there for 1,400 years, never left, continuously returned, and most of all are not foreign to it. Zionism dates back to Abraham, and “Zionist Jews” have been living in the Land of Israel for 3,000 years.

Some resources

Raymond P. Scheindlin, *A Short History of the Jewish People: From Legendary Times to Modern Statehood* (Oxford University Press, 2000).

Martin Gilbert, *The Routledge Atlas of Jewish History*, 8th ed. (Routledge, 2010).

Abraham S. Halkin, ed., *Zion in Jewish Literature* (Brown University Classics in Judaica, 1988).

Big Lie #3:

... starting an ongoing “genocide” against Palestinians...

Anti-Israelists use the phrase “ongoing genocide” to suggest that in 1948, in the decades since, and now during the Hamas war (which is ongoing as I write), Jews and Israel have been carrying out acts of genocide against the Arabs/Palestinians. It implies both specific episodes as well as an overall cumulative effect. Keep in mind that the term “genocide” means more than just that there have been many casualties over multiple military conflicts, which is true, in fact, for both sides. According to the 1948 International Genocide Convention, genocide constitutes “acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.”²³ Notice that “intent” is essential and that it involves targeting people on the basis of their membership of the relevant group. “Winning a war” against an army or a country is not considered “genocide,” even if there are significant civilian casualties, unless the war was motivated or guided by the intent to destroy that group. That fact alone takes most of the force out of the lie, not least because nearly every single war between the Arabs and the Jews from 1948 onwards was *started* by the Arabs. Jews have spent these decades *defending* themselves from genocidal attacks, not pursuing them.

That the Jews were defending themselves *from* genocide is illustrated by the following famous quote, just one among many similar quotes from various Arab leaders. In 1947, Abdul Rahman Hassan Azzam, the Secretary-General of the [Arab League](#), warned that, if the Jews were to try to establish a state, what would follow from the Arabs would be “a [war of extermination](#) and momentous massacre which will be spoken of like the [Mongolian massacre](#) and the [Crusades](#).”²⁴ When the Arabs launched the civil war in Mandatory Palestine in late 1947 and then the multinational war against the newly established Israeli state in 1948, the Jews were not seeking a genocide against the Arabs. They had *accepted* the UN partition proposal of 1947, and had the Arabs also accepted it there would simply have been peace between the two neighboring states. But the Arabs instead opted for war against the Jews, who in response were merely trying to avoid becoming the victims of a “Mongolian massacre.”

²³ <https://www.un.org/en/genocide-prevention/1948-convention>.

²⁴ https://en.wikipedia.org/wiki/Azzam_Pasha_quotation. For confirmation of the authenticity of the quote see also <https://www.meforum.org/3082/azzam-genocide-threat>.

That settles the general question of “intent.”

Cumulative Genocide?

As for the charge of “cumulative” genocide, that allegation is most easily refuted by looking at the numbers.

First, just to introduce a sense of scale, somewhere between five or six times as many people have died in the dozen years of the current Syrian civil war than have died on both sides of the entire Israeli-Palestinian-Jewish-Arab-Muslim-Iran conflict in the 100-plus years since 1920, at least up to the current Israel-Hamas war.²⁵ On a list of global conflicts from the 20th century onwards, the Israeli-Palestinian-Jewish-Arab-Muslim-Iran conflict might well count as a very minor one in terms of casualties.²⁶ All deaths are tragic, but excessive focus on just one conflict can skew one’s impression of it.

The actual numbers are instructive. The Arab population in Israel stood at roughly 156,000 in 1948; in 2023 it had reached 2.08 million.²⁷ The Palestinian Arab population in the territories of Judea/Samaria in 1950 was about 765,000;²⁸ today it stands at about 2.7 million.²⁹ The Palestinian Arab population in Gaza in 1950 was about 240,000,³⁰ while in 2024 it was about 2.1 million.³¹ In May 2024, the Palestinian Central Bureau of Statistics released a report stating that “the Palestinian world population was 14.63 million by the end of 2023, which means that the number of Palestinians in the world has doubled about 10 times since [1948].” In other words, the Palestinian world population has increased by 1000% since 1948.³²

When looking at the charts, you’ll also notice that the West Bank and Gaza Palestinian populations both started to increase quite significantly in the decades after Israel captured those territories in 1967. This is because Israel built all sorts of infrastructure in those territories (including water and sanitation), modernized

²⁵ <https://www.jewishvirtuallibrary.org/total-casualties-arab-israeli-conflict>; https://en.wikipedia.org/wiki/Casualties_of_the_Syrian_civil_war.

²⁶ https://en.wikipedia.org/wiki/List_of_wars_by_death_toll.

²⁷ https://en.wikipedia.org/wiki/Demographics_of_Israel.

²⁸ https://unispal.un.org/pdfs/63227D4BBFE0EE3B852562AE00797B1D.pdf?_gl=1*1362uou*_ga*_MTEyMDc4OTc1NS4xNzI3NTMyODM5*_ga_TK9BQL5X7Z*_MTcyNzUzMjgzOC4xLjAuMTcyNzUzMjgzOC4wLjAuMA.

²⁹ https://en.wikipedia.org/wiki/West_Bank.

³⁰ https://unispal.un.org/pdfs/63227D4BBFE0EE3B852562AE00797B1D.pdf?_gl=1*1362uou*_ga*_MTEyMDc4OTc1NS4xNzI3NTMyODM5*_ga_TK9BQL5X7Z*_MTcyNzUzMjgzOC4xLjAuMTcyNzUzMjgzOC4wLjAuMA.

³¹ https://en.wikipedia.org/wiki/Gaza_Strip#History.

³² <https://www.pcbs.gov.ps/site/512/default.aspx?tabID=512&lang=en&ItemID=5750&mid=3171&wversion=Staging>.

healthcare and built hospitals, established schools and universities, and so forth. Overall population statistics, including life expectancy, quality of life, and various positive economic metrics, all grew and improved significantly.

Figure 3: Palestinian Population Growth³³

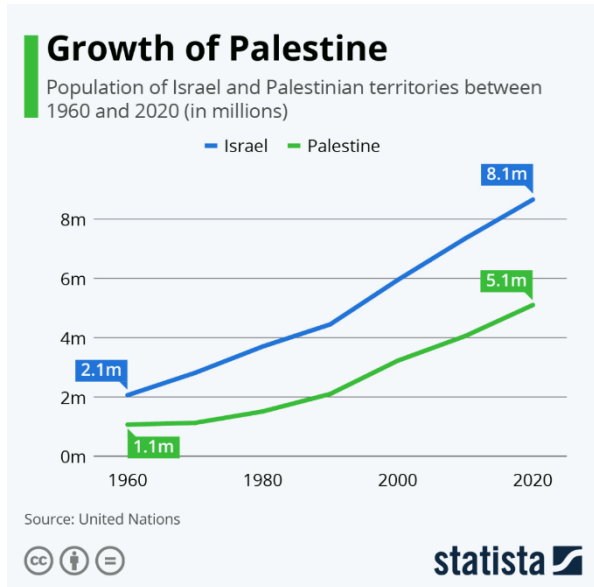


Figure 4: Gaza Population Growth³⁴

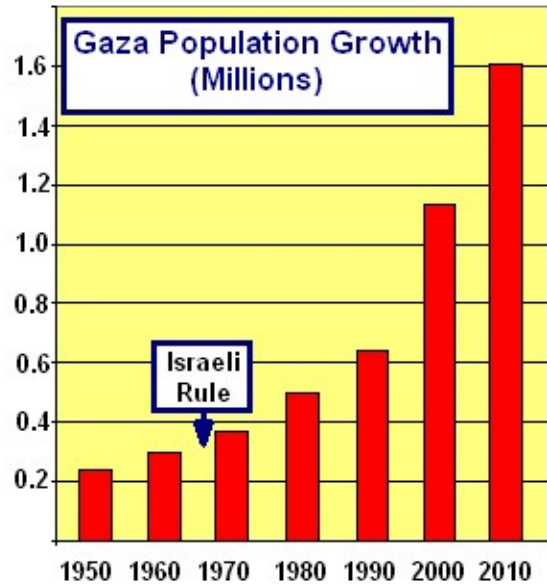
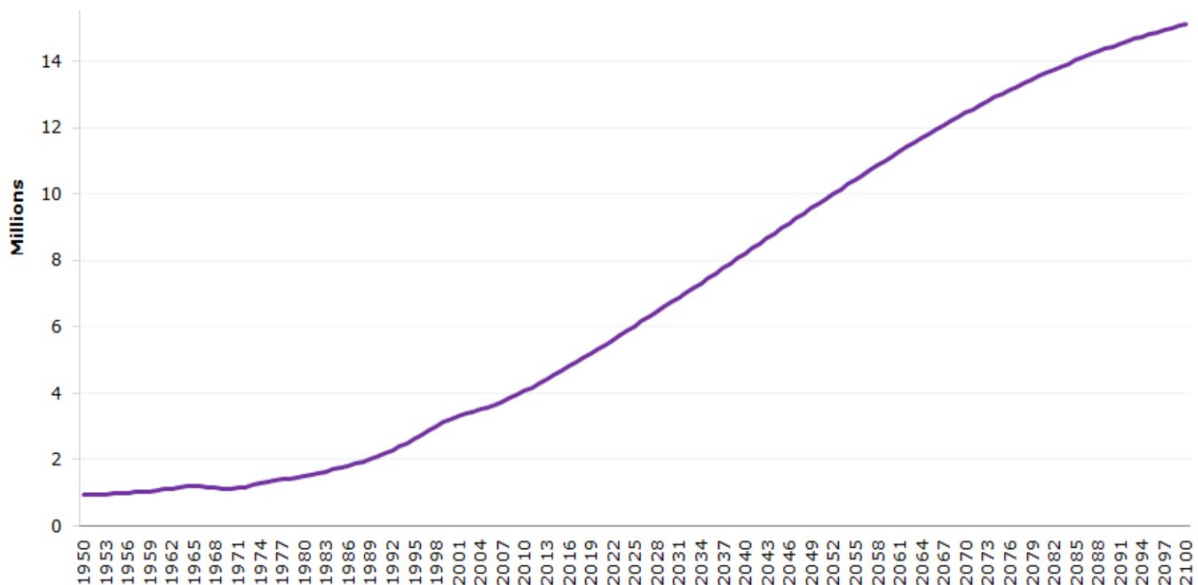


Figure 5: Palestine: Total Population³⁵



If it isn't obvious, extensive measures to improve both the quality and quantity of life are not typical manifestations of "genocidal intent," and mushrooming populations are not a typical consequence of "genocidal activity."

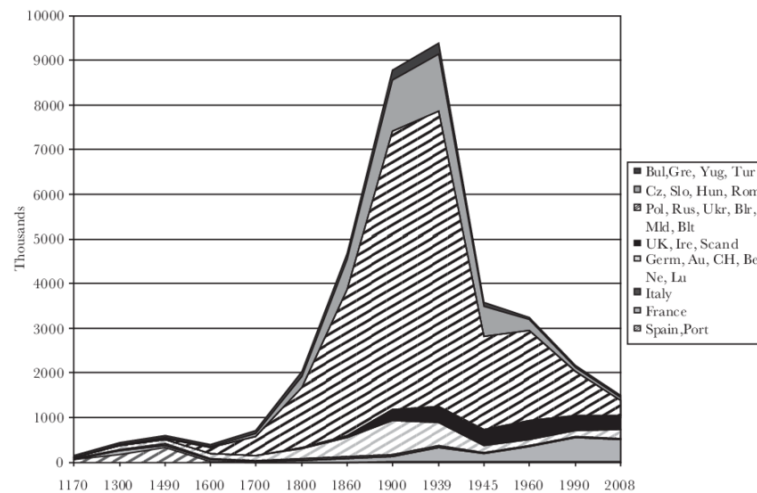
³³ <https://www.statista.com/chart/20645/palestine-and-israel-population-growth/>.

³⁴ <https://twitter.com/AmyeC3/status/1715486996548943887>.

³⁵ <https://worldpopulation.theglobalgraph.com/p/palestine-population.html>.

This is what true genocide looks like:

Figure 6: Jewish Population in Europe³⁶



From 1948 through at least 2023, then, the charge that Jews have been perpetrating a cumulative genocide against the Palestinian Arabs is simply and obviously false.

The Reverse

On the contrary, the reverse is true: it is the other side that is actually guilty of the charge.

Palestinian Arabs sided with the Nazis in World War II, with their religious and political leader, the Grand Mufti Amin al-Husseini, spending the war years in Berlin collaborating with the Nazis in order to bring the Final Solution to the Middle East. There are famous pictures of the Mufti talking to Hitler, visiting a concentration camp with Himmler, and saluting Muslim Nazi soldiers.³⁷ The Nazis and the Palestinian Arabs literally shared the same Jewish-eliminationist agenda. Nor can the actual morbid effectiveness of the Holocaust be attributed to the Nazis and their European allies alone. For example, it was the widescale Arab riots and revolt that the Mufti orchestrated in Palestine in 1936-1939 that led the British to issue the infamous 1939 White Paper ending their support for Zionism, not least by restricting Jewish immigration exactly as the war began—a measure that sealed the

³⁶ https://www.researchgate.net/figure/Jewish-population-in-Europe-by-major-regions-1170-2009_fig1_293223019.

³⁷ <https://www.timesofisrael.com/full-official-record-what-the-mufti-said-to-hitler/>;
<https://www.haaretz.com/israel-news/2017-06-15/ty-article-magazine/revealed-photos-of-palestinian-mufti-visiting-nazi-germany/0000017f-ef6e-d0f7-a9ff-efefa25a0000>;
<https://www.yadvashem.org/blog/adhering-to-the-historical-truth-about-the-mufti-during-the-holocaust.html>.

fate of many European Jews in the Holocaust.³⁸ In short, Palestinian Arabs shared the Nazis' eliminationist intent and contributed both directly and indirectly to the actual genocide known as the Holocaust. Thus, if anyone is guilty of genocidal intent and attempted genocide, it is the Palestinian Arabs.

Note, too, that the Mufti wasn't merely the Palestinian Arab national leader but also the local representative of an organization, founded in Egypt, known as the Muslim Brotherhood.³⁹ The descendants of the Muslim Brotherhood in Palestine today call themselves the Islamic Resistance Movement, or Hamas, an organization that (as we'll shortly see) continues to espouse the same genocidal intent and actions.

The Hamas-Israel War

Speaking of Hamas, we now turn to the second part of the lie, namely that Israel is "committing genocide" in the current war in Gaza. This is an important and timely lie that is motivating the wave of angry anti-Israel protests sweeping campuses and cities across the globe. Who wouldn't turn out to stop a genocide? To stop those evil Israelis from destroying Gaza and committing genocide against the Gazans?

Tellingly, many of the anti-Israelists calling for a "ceasefire" do so in statements that omit the role of Hamas in starting the war and its ongoing role in *fighting* the war, including rejecting many ceasefires along the way. One fairly representative example of such a statement, which was signed by some 15 student groups at Connecticut College, included a condemnation of Israel's alleged bombing of hospitals and universities.⁴⁰ However, this statement ignored the militarization of those sites by Hamas, a war crime that removes the protections they are afforded under international law, and omitted any mention of Hamas altogether, including its genocidal aims and murderous actions. Note the neat trick: if you pretend Hamas doesn't exist, then Israel is just waltzing in and blowing things up for no reason. Also, if Hamas doesn't exist, it must only be civilians getting blown up. That does sort of look like genocide!

But Hamas does exist.

That Israel's war on Hamas itself is justified is clear based on the Hamas massacre of October 7, as well as on the five wars that Hamas has started since 2007 and the thousands of Israelis it has murdered since adopting its openly genocidal charter in

³⁸ https://en.wikipedia.org/wiki/White_Paper_of_1939.

³⁹ https://en.wikipedia.org/wiki/Muslim_Brotherhood.

⁴⁰ <https://thecollegevoice.org/2024/05/08/student-statement-of-solidarity-with-the-palestinian-people/>.

1988.⁴¹ Like any sovereign nation, Israel is justified in defending itself and its citizens from repeated efforts to perpetrate genocide against it—and in trying to remove that perpetual threat altogether. We shall therefore focus on Israel’s manner of *prosecuting* this war.

We might start with some skepticism about the lie. Has there ever been a “genocide” where the alleged victim has turned down multiple ceasefire offers as Hamas has done? One might think that when one’s people are being massacred one would be eager for a ceasefire under almost any terms. That Hamas seems in no hurry for one strongly suggests it does not see its people’s situation as particularly dire.⁴²

Yes, the Israel Defense Forces (IDF) have killed many people in Gaza. But it is also true that if the IDF wanted to kill every person in Gaza today—to commit genocide—it could. That it hasn’t suggests that it doesn’t want to. Contrast that with Hamas, whose intention to murder as many Jews as possible on October 7 was limited only by its inability to do so, while Israel’s ability to murder all Gazans is limited only by its intention *not* to do so.

By late September 2024, the IDF had lost some 350 of its soldiers in combat in Gaza. If it wanted to commit genocide it could just bomb relentlessly and indiscriminately from the air and spare its soldiers’ lives. Instead, Israeli soldiers are dying in combat because this is a war, and Hamas is fighting back, and because Israel has no genocidal intent, even if civilians are dying incidentally.

Every civilian casualty is surely a tragedy. But war is literally impossible without civilian casualties, and no one has ever just equated unavoidable civilian casualties with “genocide,” except when it comes to the Jewish state. In fact, it is demonstrable that what is occurring in Gaza is nothing even resembling a “genocide.”

How many Gazans has the IDF actually killed? Around mid-May 2024, the “official” number was about 35,000 out of a population of roughly 2.1 million.⁴³ The problem is that all casualty numbers come from Hamas itself, specifically from the Gazan Ministry of Health (which is run and staffed by Hamas), which in turn receives these numbers from hospitals (which are fully infiltrated by Hamas and employ

⁴¹ https://avalon.law.yale.edu/20th_century/hamas.asp.

⁴² A tragically plausible alternative is that Hamas just doesn’t care about its people and doesn’t mind sacrificing them.

⁴³ As this essay was being finalized in September 2024, the “official” number from Gaza, reflecting the additional four months of war, was just over 41,000. See <https://www.nature.com/articles/d41586-024-02508-0>. This update alters some of the calculations below but in no way affects the arguments or conclusions.

physicians affiliated with Hamas) and from “trusted media sources,” by which they mean the Gaza Government Media Office (which is also run by Hamas). That a group that is willing to torture, rape, mutilate, and behead innocent civilians might also be willing to lie about casualty numbers must surely be considered. Hamas has every incentive to lie: doing so furthers their propaganda war against Israel and fuels the global outrage against Israel’s military—leading even US President Joe Biden to demand that Israel scale back its war due to the alleged “civilian casualties,” thus aiding Hamas’s war effort.

There have already been numerous cases where Hamas was simply *caught* lying. To cite just one example, consider the widely reported October 17, 2023 explosion at Gaza’s Al-Ahli hospital. Hamas immediately claimed that 500 people had been killed by a direct Israeli strike on the hospital. It subsequently turned out that only the hospital’s parking lot had been hit—not by Israel but by an errant Islamic Jihad missile—and that the resulting fatalities numbered in the dozens rather than the hundreds.⁴⁴ Other examples include Hamas claiming 117 dead in the Al-Rashid Street stampede,⁴⁵ 70 dead in the Salah al-Din road explosion,⁴⁶ and 45 dead in the bombing of a Rafah refugee camp on May 26, 2024.⁴⁷ Israel has denied responsibility, and presented exculpatory evidence, for all these incidents.

There is also much evidence that Hamas’s casualty numbers simply cannot be trusted.⁴⁸ To avoid getting caught up in the weeds of the statistics, let me just cite an article by Abraham Wyner, Professor of Statistics at the Wharton School of the University of Pennsylvania, entitled “How the Gaza Ministry of Health Fakes Casualty Numbers.”⁴⁹ The anonymous blogger Elder of Ziyon, though presumably lacking the credentials of Wyner, has also published some important analyses: “‘Trusted Media Sources’: More Proof That Hamas Lies in Its Gaza Casualty Statistics,”⁵⁰ “More Than Half, and Maybe as Many as 75%, of Gaza Deaths are Hamas Terrorists, Here’s Why,”⁵¹ and “A Grim Milestone: The Number of Fictional Dead in Gaza Passes 12,000,”⁵² all of which strongly suggest that Hamas is fabricating these numbers. Furthermore, in a report published in mid-April 2024,

⁴⁴ <https://quillette.com/2023/10/25/failing-the-hamas-litmus-test/>.

⁴⁵ <https://elderofziyon.blogspot.com/2024/02/we-dont-know-exactly-what-happened-in.html>.

⁴⁶ <https://elderofziyon.blogspot.com/2024/03/journalists-know-hamas-lies-about.html>.

⁴⁷ <https://x.com/theisraelfiles/status/1795464267132494221>.

⁴⁸ For a general overview of this claim, see <https://x.com/Aizenberg55/status/1797648673964282104>.

⁴⁹ <https://www.tabletmag.com/sections/news/articles/how-gaza-health-ministry-fakes-casualty-numbers>.

⁵⁰ <https://elderofziyon.blogspot.com/2024/03/trusted-media-sources-more-proof-that.html>.

⁵¹ <https://elderofziyon.blogspot.com/2024/03/more-than-half-and-maybe-as-many-as-75.html>.

⁵² <https://elderofziyon.blogspot.com/2024/04/a-grim-milestone-number-of-fictional.html>. For a similar analysis, see <https://twitter.com/MarkZlochyn/status/1778830455229366374>.

“ [Hamas-Run Gaza Health Ministry Admits to Flaws in Casualty Data](https://www.fdd.org/analysis/2024/04/09/hamas-run-gaza-health-ministry-admits-to-flaws-in-casualty-data/),”⁵³ Hamas is quoted as admitting that not all of its casualty statistics—statistics that it has been publishing for months and which global media sources regularly cite as accurate—were in fact verifiable or accurate, and that the overall numbers could be as much as 30% lower than previously reported. Clearly, any numbers coming out of Gaza must be taken with a grain of salt, particularly when “genocide” is being alleged.

This point was only confirmed when, in mid-May 2024, the UN, which takes its numbers from Hamas, quietly released revised casualty figures in which it reported only 25,000 “identified” (i.e. confirmed) casualties and revised steeply downwards the number of casualties among “women and children.”⁵⁴ Likewise, in early June 2024, the Associated Press finally published its own analysis showing problems in previously reported numbers, particularly concerning women and children.⁵⁵ Manipulation of statistics continued well into July 2024, when Hamas issued a new list of (only) 28,185 “identified” deaths as of June 30. This list included many invalid names, altered the ages of many alleged youths to have them count as children, and removed hundreds of names that had appeared on earlier lists.⁵⁶ All this suggests that the earlier larger numbers are simply not reliable, while also raising the question of just how credible the new numbers are. Remember, Hamas controls all the information and can generate any numbers it wishes. Will it come out and acknowledge later, or after the war, that there were ultimately fewer casualties?⁵⁷

But suppose we grant, for the sake of argument, that the earlier number of 35,000 casualties as of mid-May 2024 was approximately accurate even prior to the substantial downward revision.

Even then, the allegations of genocide are blatantly false.

⁵³ <https://www.fdd.org/analysis/2024/04/09/hamas-run-gaza-health-ministry-admits-to-flaws-in-casualty-data/>.

⁵⁴ <https://www.timesofisrael.com/un-drastically-revises-downward-number-of-identified-women-children-killed-in-gaza/>; see also <https://x.com/Aizenberg55/status/1792189635486962155>.

⁵⁵ <https://apnews.com/article/israel-palestinians-gaza-deaths-women-children-e258a4c14641978a00dfb957ce348957>; <https://apnews.com/article/israel-hamas-war-gaza-deaths-women-children-360c6aabc03421c718d4a8452cec2c67>.

⁵⁶ See <https://x.com/Aizenberg55/status/1816458679257858216> and <https://x.com/Aizenberg55/status/1816458686581064186>.

⁵⁷ In a similar vein, the months-long allegations of imminent or actual “famine” in Gaza (often invoked as part of the “genocide” allegations) were entirely undermined by a report published by the Famine Review Committee of the Integrated Food Security Phase Classification on June 24, 2024, which critiques and refutes earlier reports alleging famine as being inconsistent with the evidence and whose details are discussed here: <https://x.com/MarkZloch/status/1802277853905518858>. Additional Columbia University research shows more than enough food has been entering the Gaza Strip, see <https://www.jpost.com/israel-hamas-war/article-806739>. For the record, Israel has been facilitating the transfer of massive amounts of humanitarian aid into Gaza from almost the start of the war.

Let's begin with an observation. In the past 20 years alone, there have been many conflicts in the world that resulted in significantly more casualties. In rough chronological order, from their starting dates, with some of the conflicts still ongoing, reported casualties or casualty ranges include: Afghanistan (212,000), Iraq in 2003-2011 (405,000-655,000), Darfur (300,000), Boko Haram (350,000), Syria (580,000-613,000), South Sudan (383,000), Iraq in 2013-2017 (195,000), Yemen (377,000), Ethiopia (162,000-378,000), Russia-Ukraine (300,000),⁵⁸ and, since 1996, the Democratic Republic of Congo (6,000,000).⁵⁹ None of this makes the alleged Gazan casualties any less tragic, but it does (a) provide some perspective in terms of scale and (b) call into question the motives of the countless anti-Israelists dominating the discourse on so many campuses right now. Campuses have been largely quiet on every one of the above-mentioned conflicts: there have certainly not been months of rallies, protests, occupations of buildings, or encampments, much less the harassment of those who may have personal connections to the conflict, and the "genocide" label has been invoked only on rare occasions—even in cases that actually merit it! But though this current conflict is producing just a *fraction* of the casualties, campuses have been disrupted by angry allegations of "genocide" from mid-October onward, before Israel even got underway with its response and the casualties started accruing. In fact, the "genocide" allegations preceded the actual response. One suspects this double standard has something to do with the fact that Israel is involved. If so, that ought to make the very allegation of genocide suspect on its face.

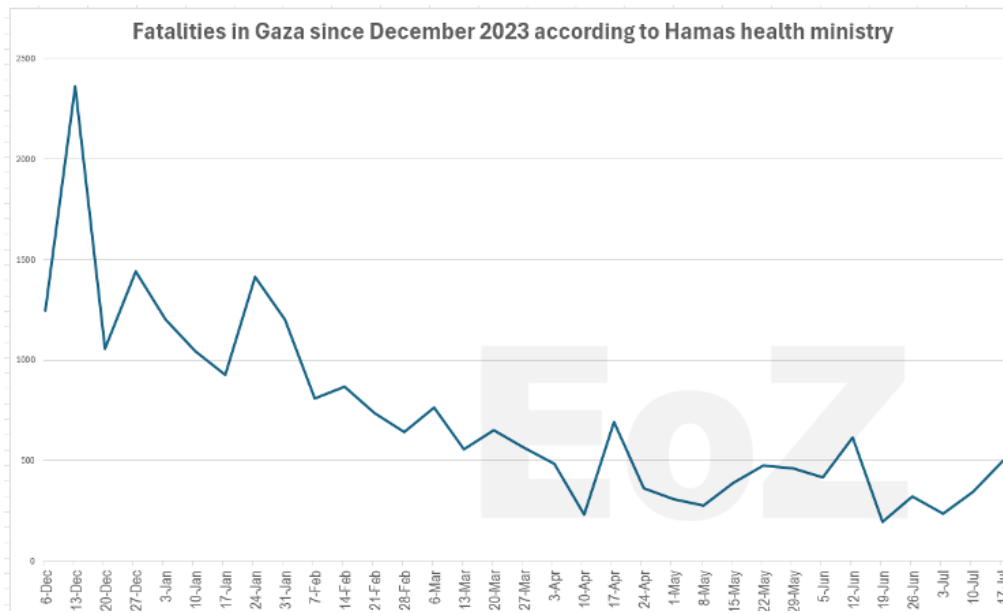
To refute the charge of genocide, it is worth noting that the majority of the casualties came in the first two months of the war. Israel began bombing Gaza in mid-October, prior to its invasion on October 27, 2023. By mid-December 2023, Hamas was claiming 20,000 dead, meaning that two months of war had allegedly produced 20,000 casualties. According to the unrevised statistics, however, the next five months of the war, to mid-May 2024, only produced another 15,000 casualties, and as this essay was being finalized four months later, in September 2024, fewer than 6,000 had been added to the list. In other words, the death rate has plummeted over the course of the war, from 10,000 deaths per month to 3,000 to 1,500. This is exactly the opposite of what one would expect in the case of an actual genocide.

This chart shows the decline:

⁵⁸ [https://en.wikipedia.org/wiki/List_of_wars_by_death_toll#Modern_\(1500_AD%E2%80%93present\)_wars_with_greater_than_25,000_deaths](https://en.wikipedia.org/wiki/List_of_wars_by_death_toll#Modern_(1500_AD%E2%80%93present)_wars_with_greater_than_25,000_deaths).

⁵⁹ <https://www.cfr.org/global-conflict-tracker/conflict/violence-democratic-republic-congo>.

Figure 7: Gaza Fatalities⁶⁰



But more—or perhaps most important—is the question of *who* is dying.

It’s not “genocide” to kill enemy soldiers, combatants, militants, or terrorists (whatever you want to call them), and Hamas conveniently doesn’t report any breakdown of “civilians vs. militants,” implying that all casualties are exclusively civilian. But surely no one believes that in months of fighting the IDF has failed to kill a single Hamas fighter? In addition, Hamas members often fight in civilian clothes—as documented in many videos—so when they are killed it’s easy to count them as “civilians.” In this way, their failure to distinguish themselves from actual civilians, which is in itself a war crime, effectively turns them into innocent civilian victims. Equally disturbing is Hamas’s documented use of child soldiers.⁶¹ The UN counts anyone under the age of 18 as a “child,”⁶² but there are known to be many 16 or 17-year-old (or even younger) Hamas combatants. In addition, there are indications that Hamas in fact counts every person under the age of 20 as a “child.”⁶³ It is thus unclear how many of these “child” casualties are actually fully armed and trained combatants. In July 2024, Hamas released new casualty lists that systematically changed the ages of nearly three-quarters of previously reported 19-year-olds to 18 and the ages of nearly three-quarters of previously reported 18-year-

⁶⁰ <https://elderofziyon.blogspot.com/2024/07/just-another-washingtonpost-lie-about.html>.

⁶¹ <https://www.ipost.com/israel-hamas-war/article-780613>;
https://en.wikipedia.org/wiki/Use_of_child_suicide_bombers_by_Palestinian_militant_groups.

⁶² <https://www.ochaopt.org/data/casualties>.

⁶³ Rather than use the standard “under 18” definition of a child, for example, their casualty statistics include the age category of “15-19,” which conveniently erases the standard definition. See <https://www.reuters.com/graphics/ISRAEL-PALESTINIANS/GAZA-CASUALTIES/xmpjlaberpr/index.html>.

olds to 17.⁶⁴ Not only does this emphasize once more the unreliability of all Hamas statistics, but it is clearly indicative of a propaganda effort to inflate the number of “child” casualties. Simply by changing a digit on a list, Hamas can turn a fully armed and trained 19-year-old Hamas fighter into an innocent “child.”

As of mid-May 2024, the IDF estimated that it had killed about 14,000 Hamas fighters out of an alleged (and as yet unrevised) number of 35,000 casualties.⁶⁵ If even close to accurate—and in past wars IDF figures have generally proved reliable—this militant to civilian casualty ratio of 1:1.5 might well be *the lowest rate in all modern urban warfare*. This is true even *before* the more plausible downward-revised figures reduced the overall casualty numbers by 25% and sharply reduced the alleged number of women and child victims, thus reducing the civilian to militant casualty ratio *to an astonishing 0.67:1*. Such ratios are simply unheard of in modern warfare and represent the exact opposite of genocide.⁶⁶

This is not to say that there have not been many civilian casualties, each one of which is a tragedy. But context matters. Civilians die in all wars, especially in urban wars, so one should be wary of those who only quote overall casualty numbers as if to imply that all the victims are civilians, and then accuse Israel of committing genocide. When you compare the IDF’s actions in this war to all similar wars, you discover that, comparatively speaking, it has been *extraordinarily* successful in targeting militants and sparing civilians, despite operating in the most difficult conditions known to modern urban warfare, including the weaponization of hospitals, mosques, and schools, hundreds of miles of military tunnels running beneath *everything*, arms stored everywhere, militants dressed in civilian clothes, and an enemy that does not respect international law.⁶⁷ Nor should we overlook the well-documented fact that Hamas deliberately uses civilians as human shields: indeed that part of its explicit strategy is to sacrifice civilians to motivate its fighters and ramp up international pressure against Israel.⁶⁸ In this context, the

⁶⁴ <https://x.com/Aizenberg55/status/1816458679257858216>.

⁶⁵ As of late September 2024, the IDF estimated that the updated “official” number of 41,000 casualties in Gaza included 18,000 Hamas fighters.

⁶⁶ In mid-July 2024, the Israel Defense Forces confusingly asserted that they had “killed or apprehended” 14,000 Hamas fighters, while injuring many others, see <https://www.nytimes.com/2024/07/17/world/middleeast/israel-gaza-hamas-leaders-killed.html>. It is unclear whether they were “updating” and “clarifying” their totals or merely summarizing their totals from two months earlier. While these numbers, if current as of July 2024, would change the calculations in this paragraph, they would not affect the overall point, as the militant to civilian casualty ratio remains exceptionally low, even if not as low as originally suggested.

⁶⁷ For an analysis of Hamas’s violations of numerous aspects of international law, see <https://elderofziyon.blogspot.com/2024/06/it-is-not-only-october-7-and-hostages.html>.

⁶⁸ For a few illustrative quotes, all from late October 2023, shortly after the massacre, see <https://www.washingtonpost.com/national-security/2023/11/12/hamas-planning-terror-gaza-israel/>. This includes Ghazi Hamad, Hamas politburo member, stating in a television interview, “Will we have to pay a

achievements of the IDF look nothing short of brilliant—and brilliantly humane—while the blood of every innocent civilian, particularly those sacrificed as human shields, is entirely on Hamas.

At the end of March 2024, Jake Wallis Simons wrote as follows, quoting John Spencer, Chair of Urban Warfare Studies at the United States Military Academy at West Point and perhaps the world’s foremost authority on urban warfare:

Gaining exact data is impossible, but the true ratio, Spencer concluded [using mid-March data], is about 1 combatant to 1.5 civilians. By comparison, when Britain, the US and other allies destroyed Islamic State in Mosul in 2016-17, the ratio was about 1 to 2.5; and according to the UN and the EU, the global average is 1 to 9. “Given Hamas’s likely inflation of the death count, the real figure could be closer to 1 to 1,” Spencer wrote. “Either way, the number would be historically low for modern urban warfare.”⁶⁹

These astonishing ratios conclusively refute the charge of genocide.

And yet the case in support of Israel gets even *stronger*, as Hamas’s numbers surely include many *who were not killed by Israel*.

For starters, these numbers may include people who simply died of natural causes, including old age, estimated to be approximately 500 per month or 3,500 in total in the seven months up to mid-May (or 5,500 up to late September).⁷⁰ Furthermore, they include people killed by Hamas or Palestinian Islamic Jihad rockets falling short inside Gaza,⁷¹ with estimates putting some 10-15% of all rockets fired in that category.⁷² This could amount to as many as 1,500 rockets by mid-May. It’s hard to know exactly how many people died as a result, but their number would include the

price? Yes, and we are ready to pay it. We are called a nation of martyrs, and we are proud to sacrifice martyrs.” Hamas official Mousa Abu Marzouk also gave an interview explaining that Hamas had not built bomb shelters for civilians but “500 kilometers” of tunnels specifically to protect its fighters, see <https://www.memri.org/tv/hamas-official-mousa-abu-marzouk-tunnels-gaza-protect-fighters-%20not-civilians>. Finally, Hamas leader Ismail Haniyeh stated in a public address, “The blood of the women, children and elderly [...] we are the ones who need this blood, so it awakens within us the revolutionary spirit, so it awakens with us resolve.” See <https://www.jns.org/hamas-leader-we-need-the-blood-of-women-children-and-the-elderly-of-gaza/>.

⁶⁹ <https://www.telegraph.co.uk/news/2024/03/30/israel-is-fighting-a-humane-ground-war-just-ask-experts/>.

⁷⁰ The Hamas-run Gazan Ministry of Health apparently denies this, and there is no way to verify this independently.

⁷¹ <https://elderofziyon.blogspot.com/2024/04/more-proof-israel-tells-truth-and-hamas.html>.

⁷² https://en.wikipedia.org/wiki/Palestinian_rocket_attacks_on_Israel; <https://www.ajc.org/news/what-everyone-needs-to-know-about-hamas-lie-about-a-rocket-strike-on-a-gaza-hospital>.

dozens of people killed at the Al-Ahli Hospital in mid-October.⁷³ In addition, Hamas's casualty numbers likely include people *murdered by Hamas*. There are many videos of Hamas firing on its own people in order to stop them from evacuating, take over aid convoys, or crush potential opposition; in late September 2024 they even killed a Gazan aid worker.⁷⁴ Finally, most Israeli soldiers killed in recent months have died as a result of buildings or roads being booby-trapped with explosives; one report suggests that an astonishing 40% of buildings in Gaza have been booby-trapped in this manner.⁷⁵ How many unreported civilians have also fallen victim to these traps? All of these casualties are reported as innocent civilians "killed by Israel." Remove them and just how small does the true number of civilians killed by Israel actually become?

The Most Moral Army in the World

Whatever that number is, there's a reason it's so astonishingly small: the many unprecedented measures the IDF takes to minimize civilian casualties even at the cost to its own soldiers' lives. (People sometimes forget this is a war and that the other side, Hamas, started the war with an army of as many as 40,000 trained fighters and is actively fighting back—having killed some 350 IDF soldiers as of September 2024.)

For example, the IDF delayed its initial invasion of Gaza for several weeks to allow civilians time to evacuate. It subsequently also delayed its invasion of Rafah, enabling roughly a million civilians to evacuate in under two weeks, despite many, including the United States, insisting that such a scale of evacuation would be impossible. Furthermore, the IDF chose to invade Gaza instead of just carpet-bombing the entire area, thus putting its own soldiers at risk. It drops warning leaflets before bombing or entering combat zones—which also notifies the enemy of its intentions, thus enabling them to escape. It issues millions of warnings by telephone, which involves maintaining a massive database at great expense of money and labor. It constantly creates safe zones, safe times, and civilian evacuation routes. It sets up and runs numerous field hospitals. (It even treats injured captured Hamas terrorists in its own hospitals, sometimes on the same floor as the victims of Hamas terrorism!) And it has facilitated massive amounts of humanitarian aid, constructing various aid crossing points, building roads inside Gaza to distribute aid, and coordinating thousands of deliveries,⁷⁶ even while Hamas often attacks its own people to steal the aid. This

⁷³ Or possibly the nearly 500 people Hamas falsely claims were killed there.

⁷⁴ <https://www.reuters.com/world/middle-east/gunmen-shoot-kill-aid-worker-gaza-charity-family-say-2024-09-27/>.

⁷⁵ <https://x.com/Aizenberg55/status/1836766718904996004>

⁷⁶ <https://x.com/COLRICHARDKEMP/status/1816796676763341262>.

humanitarian work comes at tremendous expense of cost and labor to the IDF and frequently poses a risk to its own soldiers. In early May 2024, for example, Hamas fired rockets at the Kerem Shalom crossing, killing four Israeli soldiers who were facilitating transfers of humanitarian aid. Within three days Israel repaired the crossing and reopened the flow of aid. Israeli soldiers die, in other words, to deliver humanitarian aid to their enemy, while the enemy attacks them for it. As well-known retired British army officer Colonel Richard Kemp, who has extensive knowledge of the conflict, has put it, “Has any other army ever made such immense efforts to get aid in to hostile territory while fighting a war?”⁷⁷ I would phrase the question even more broadly: Do any other countries supply their enemies *at all* or in any way during war? (Is Russia providing aid to Ukraine while attacking it? Is Ukraine expected to supply Russia while counterattacking? Why doesn’t anyone demand that Hamas and Hezbollah supply aid to the Israeli civilians they are attacking? Who else warns their enemies before attacking?)

The IDF is sometimes called “the most moral army in the world.” Its behavior in this war confirms that. Not to mention that every single one of the measures described above clearly refutes the claim of genocide. Indeed, contrary to committing genocide, Israel, as John Spencer also puts it, is setting a “new standard” for urban warfare:

I've never known an army to take such measures to attend to the enemy's civilian population, especially while simultaneously combating the enemy in the very same buildings. In fact, by my analysis, Israel has implemented more precautions to prevent civilian harm than any military in history—above and beyond what international law requires and more than the U.S. did in its wars in Iraq and Afghanistan.⁷⁸

All this happens while Hamas uses its citizens as human shields, uses hospitals, mosques, and schools to store weapons and fighters, builds hundreds of miles of military tunnels under literally every building, fires rockets from civilian areas and even safe zones toward Israeli civilians, and prevents people from moving out of harm’s way. Not to mention that Hamas started the war in the first place, after Israel left Gaza in 2005 to allow it to develop to its heart’s content.

The Reverse

The only people responsible for mass death in Gaza, then, and for attempting to perpetrate a genocide (against Jews), are Hamas—Hamas, the descendant of the

⁷⁷ <https://x.com/COLRICHARDKEMP/status/1816796676763341262>.

⁷⁸ <https://www.newsweek.com/israel-has-created-new-standard-urban-warfare-why-will-no-one-admit-it-opinion-1883286>.

same Muslim Brotherhood that contributed to the Nazis' genocide of the Jews, the organization whose charter openly endorses the genocide of all Jews, which attempted to carry out an act of genocide on October 7, and which has openly and repeatedly declared its intentions to "repeat October 7" as many times as is necessary to eradicate the Jews.

In one of many telling moments, audio was released back in October 2023 of a Hamas terrorist calling his parents on October 7 from the home of a Jewish family he had just murdered, using the phone of the Jewish woman he had just murdered, to brag about his achievements.⁷⁹ Imagine, just for a moment, that the conversation had gone something like this: "Mom, it was painful and difficult, but we have taken the first steps toward the liberation of Palestine and for freedom and justice." That would not change the evil nature of what he, and Hamas, had just accomplished, but it would at least allow one to pretend that the invasion was *for* something, for human rights, for freedom, for justice. Instead the (abbreviated) conversation went like this:

TERRORIST: Hello dad. Open your WhatsApp right now, and see all the killed. Look at how many I killed with my own hands, your son killed Jews!

FATHER: Allahu Akhbar, Allahu Akhbar. May God protect you.

TERRORIST: I am talking to you from the phone of a Jew, I killed her and her husband, I killed ten with my own hands.

FATHER: Allahu Akhbar.

TERRORIST: I killed ten. Ten! Ten with my own bare hands. Their blood is on my hands! Let me talk to Mom.

MOTHER: Oh, my son, may God protect you.

TERRORIST: I killed ten all by myself, mother! Mother, your son is a hero. (Talking to terrorists on the scene: Kill! Kill! Kill! Kill them!)

This young man was proud of himself and sought his parents' praise for *killing Jews* with his own hands—ten of them, look and see, I want to show you all the dead Jews, with my own hands! *This* is what Hamas is about: taking glory and glee in the mass murder of Jews, which is all the more gratifying when you do it "with your own hands."

"Scholasticide" and "Cultural Genocide"

We close this section with a brief look at the variant allegations of "scholasticide" and "cultural genocide." These recently coined terms reflect the ongoing efforts of anti-Israelist academics to accuse Israel of ever-new war crimes. Genocide, period,

⁷⁹ <https://www.jpost.com/middle-east/article-769989>.

isn't enough; Israel is also accused of specifically targeting Gazan academics, students, educational institutions, cultural heritage sites, and so on, in a specific war on Palestinian history, identity, and, through education, the very future of the Palestinian people. Petitions condemning Israel of these crimes attract thousands of signatures from academics around the world.⁸⁰

Such contrived charges and invented crimes are absurd on their face. Israel has literally no incentive to commit them. It is engaged in war with Hamas; it would be a great waste of resources, not to mention a PR nightmare, were it to “target” professors or universities or archeological sites for their own sake. Israel also has complex mechanisms and teams of lawyers evaluating every potential military target in order to determine whether the target is militarily significant and permissible under international law. Bombing academics and universities for their own sake would not pass muster on either count. Israel has enough problems with international legal and political institutions heavily biased against it to want to give its antagonists legitimate grounds for attacking it.

Of course universities and cultural sites have been destroyed in the war, often as a regrettable, if inevitable, consequence of the nature of the war itself. In this context, it is important to remember that Hamas has militarized nearly the entire Gaza Strip. When these sites are used to store weapons or are occupied by Hamas fighters engaged in military activity, they become legitimate military targets. Indeed, many university students are themselves active members of Hamas's military units. When they are targeted, they are targeted for that—not for being students. If Israel were to grant refuge to fighters fortified in civilian sites, self-defense against Hamas would become impossible. And that is exactly what Israel's enemies want.

The ample evidence presented above to refute the general charge of “genocide,” combined with its prima facie absurdity, also serves to refute the charges of scholasticide and cultural genocide.

Thus the Truth: The Jews, and Israel, have not—and never have been—perpetrators of “genocide,” not in 1948, not cumulatively, and not now in the current war against Hamas. The Palestinian population has only exploded since 1948, and in the current war Israel takes extraordinary measures to target only Hamas and minimize civilian casualties, setting “a new global standard” for urban warfare. In fact, the reverse is true: it is Hamas that openly endorses and attempts to perpetrate genocide against the Jews.

⁸⁰ See, for example <https://scholarsagainstawar.org/> and <https://mesana.org/advocacy/letters-from-the-board/2024/03/11/mesa-board-joint-statement-with-caf-regarding-the-ongoing-genocidal-violence-against-the-palestinian-people-and-their-cultural-heritage-in-gaza>.

Some resources

Andrew Bostom, *The Legacy of Islamic Antisemitism: From Sacred Texts to Solemn History* (Prometheus Books 2007, updated edition published in 2020).

Jeffrey Herf, *Nazi Propaganda for the Arab World* (Yale University Press, 2010).

Jewish Virtual Library, “Jewish and Non-Jewish Population of Israel-Palestine (1517–Present),” n.d., available at <https://www.jewishvirtuallibrary.org/jewish-and-non-jewish-population-of-israel-palestine-1517-present>.

Big Lie #4:

... and expelling hundreds of thousands (“ethnic cleansing”)...

The charge is that, ever since 1948, Israel has engaged in a campaign of “ethnic cleansing” against the Palestinian Arabs and stolen their land. This charge is also extended to the current Israel-Hamas war, in which many observers have argued against relocating Gazan civilians from the war zone because doing so would constitute further Israeli “ethnic cleansing.” This is particularly problematic because of the double standard it applies to Israel, not to mention the harm it inflicts on Gazan civilians. In every other military conflict in the world—and there are many, with one source monitoring more than 110 such conflicts at the time of writing⁸¹—everyone demands that civilians have the right to flee conflict zones and that surrounding countries have an obligation to facilitate their doing so. Entire NGOs are dedicated to insisting upon freedom of movement for people in general and for refugees from wars in particular, yet not one of them says a word when Egypt, Jordan, and Lebanon refuse to accept a single Gazan refugee, thus condemning these poor people to an active conflict zone.⁸² Israel’s desire to relocate civilians in this instance is obviously part of its efforts to wage war against Hamas without harming civilians; thus the Israeli policy that refutes the “genocide” charge is obscenely cast as making Israel guilty of the “ethnic cleansing” charge!

Note how Israel is a villain either way: it’s either guilty of ethnic cleansing if it evacuates civilians or guilty of genocide if it does not. Israel is unable to defend itself from Hamas without *ipso facto* being cast as a war criminal. In other words, Israel is not allowed to defend itself, period. This is the true face of delegitimization and dehumanization.

The charge of ethnic cleansing in the years since 1948 is also refuted by the response to the genocide lie outlined above, namely the huge (and documented) increase in the Palestinian population in the region since 1948. It is worth recalling that the Arab population within Israel has risen from about 156,000 in 1948 to 2.08 million in 2023, and this number excludes the growing millions of Palestinians in Gaza and Judea/Samaria.⁸³ In fact, the percentage of Arabs living in the state of

⁸¹ <https://geneva-academy.ch/galleries/today-s-armed-conflicts>.

⁸² <https://elderofziyon.blogspot.com/2024/01/where-are-human-rights-ngos-who-condemn.html>.

⁸³ https://en.wikipedia.org/wiki/Demographics_of_Israel.

Israel has increased while the percentage of Jews has declined. In Jerusalem, in particular, the Arab population has increased at a faster rate than that of the Jews, resulting in the percentage of Jewish population decreasing from 74% in 1967 to 61% today.⁸⁴ Nobody, in other words, is being ethnically cleansed, despite media reports to the contrary.⁸⁵

1948

In light of the above, we will focus our efforts on the charge concerning the years up to and including 1948. This charge has enormous significance since, as I've argued elsewhere, it is this false belief that fuels much western anti-Israelism today.⁸⁶ What fuels this false belief, in turn, is that it contains a kernel of truth; from early 1948 onward, somewhere between 500,000 and 800,000 Arabs did leave their homes in Palestine and become "Arab refugees" and, in time, "Palestinian refugees." Sources differ about numbers, but this is the commonly accepted range. Compared to the enormous number of refugees (see below) created around the same time by World War II, the India-Pakistan partition, or the Korean War, or more recently by the war in Syria, this is a relatively small number, but still it is not insignificant. No one can deny that refugees suffer terribly, whatever the cause of their refugee status.

However, the key question is whether this amounts to "ethnic cleansing," which is construed as a despicable premeditated action performed by Israeli Jews, as the anti-Israelists would have you believe. If it does, one could understand the passion of today's activists, whose slogans include: "No peace on stolen land!" Israeli Jews, if guilty of ethnic cleansing, would indeed be guilty of "stealing the land."

But it's simply not true.

Here is the single most important point in response. As of November 1947, when the UN voted to partition the land into a Jewish state and an Arab state, there were *zero refugees*.

Zionism itself, in other words, displaced *nobody* from the land.

⁸⁴ <https://en.wikipedia.org/wiki/Jerusalem#Demographics>.

⁸⁵ What anti-Israelists do, in fact, is to take occasional small-scale real estate disputes between Jews and Arabs generated by the complex history of the country and of Jerusalem in particular—such as cases where the original Jewish owners of a property attempt to evict Arabs illegally squatting there for many years—and deceptively portray them as "ethnic cleansing" efforts by the Jews.

⁸⁶ https://www.futureofjewish.com/p/in-israel-2024-is-still-about-1948?utm_source=substack&utm_medium=email&utm_content=share.

In fact, it was *just the opposite*: Zionism drew Arabs in. There was large-scale Arab immigration into Palestine *after* Jewish Zionists began developing the country for all its inhabitants. Again, scholars debate precise numbers, not least because much of this immigration may have been officially illegal and unrecorded, but here is Robert Kennedy in 1948 reporting back on his recent visit to Palestine: “The Jews point with pride to the fact that over 500,000 Arabs, in the 12 years between 1932 and 1944, came into Palestine to take advantage of living conditions existing in no other Arab state.”⁸⁷ Similar pictures are painted by William Ziff’s 1938 book, *The Rape of Palestine*, which documents the British betrayal of Zionism by both their active suppression of Jewish immigration and their active acceptance of Arab immigration, and by Joan Peters’s 1984 book, *From Time Immemorial*, which documents the Arab immigration into Palestine in the 19th and 20th centuries.

The importance of this point cannot be overstated. Zionism displaced nobody from the land. Had the Arabs joined the Jews in accepting the 1947 partition proposal, there would have been a “two-state solution” in place, “Palestine” would today be celebrating its 76th anniversary along with Israel, and there would have been zero, literally zero, “refugees.” So if the refugees are the evidence of Zionist ethnic cleansing, then Zionism itself was responsible for precisely zero of them.

Refugees

What created the refugees was *the war*—the war that *the Arabs started* in late 1947 as a civil war, which became an international war with the invasion of multiple Arab armies in May 1948. The 1947-48 war produced refugees exactly as all other military conflicts produce refugees. By comparison, World War II alone produced some 65 million refugees,⁸⁸ while the contemporaneous 1947 India-Pakistan partition produced some 14 million.⁸⁹ The number of refugees from all conflicts in the 20th century runs to hundreds of millions, with the recent war in Syria alone producing some 5.5 million refugees.⁹⁰ As of the end of 2022, the UN recognized some 108 million current refugees in the world. Wars produce refugees, in extraordinary numbers, each one a tragedy. But no war, no refugees; it’s really that simple.

We must also reflect more closely on the 1948 Arab refugees. Though scholars again debate the precise breakdown, different people left for different reasons. Wealthier people left early and voluntarily because they could. For them it was easy to leave as

⁸⁷ https://en.wikipedia.org/wiki/Robert_F._Kennedy%27s_1948_visit_to_Palestine.

⁸⁸ <https://www.iwm.org.uk/history/what-happened-to-people-displaced-by-the-second-world-war>.

⁸⁹ <https://www.redcross.org.uk/stories/our-movement/our-history/india-partition-the-red-cross-response-to-the-refugee-crisis>.

⁹⁰ <https://www.worldvision.org/refugees-news-stories/syrian-refugee-crisis-facts>.

they often had other homes or relatives living nearby with whom they could stay. Remember, with large-scale Arab immigration leading up to 1948, many still had roots, property, and family in surrounding countries, sometimes just a few miles away. These are not your stereotypical “refugees,” that is to say, people who have lost everything and are forced to move far away to foreign places, languages, and cultures.

Many others were actively encouraged by Arab leaders to get out of the way so that the invading Arab armies could exterminate the Jews more efficiently and were told they would be able to return to their homes quickly and even benefit from the booty left behind by the Jews. The Arab rhetoric, from the leadership down to the street, was extreme, proclaiming that the Arabs would finish Hitler’s genocidal war against the Jews. As quoted earlier, the Secretary-General of the Arab League reflected common rhetoric when he declared that the Arabs would lead “a war of extermination and momentous massacre which will be spoken of like the Mongolian massacre and the Crusades.”⁹¹ In 1948, this same man reportedly

published numerous declarations assuring the Arab peoples and all others that the occupation of Palestine and of Tel Aviv would be as simple as a military promenade for the Arab armies. Azzam Pasha’s statements pointed out that armies were already on the frontiers and that all the millions that the Jews had spent on land and on economic development would surely be easy booty for the Arabs, since it would be a simple matter to throw the Jews to the bottom of the Mediterranean Sea. ... Brotherly advice was given to the Arabs of Palestine urging them to leave their land, homes and property and go to stay temporarily in neighboring, brotherly States, lest the guns of the invading Arab armies mow them down. The Palestinian Arabs had no choice but to obey the “advice” of the League and to believe what Azzam Pasha and other responsible men in the [Arab] League told them—that their withdrawal from their lands and their country was only temporary and would end in a few days with the successful termination of the Arab “punishment” action against Israel.⁹²

Those who left for this reason, in other words, became refugees not as “victims of war” but in *active support of the war effort* in a “war of extermination” against the Jews.

Many others said similar things:

⁹¹ https://en.wikipedia.org/wiki/Azzam_Pasha_quotation.

⁹² https://cojs.org/habib_issa-_al_huda-_a_lebanese_newspaper_published_in_the_usa-_june_6-_1951/.

Another refugee told the Jordanian daily *a-Difaa* on September 6, 1954: “The Arab governments told us, ‘Get out so that we can get in.’ So we got out, but they did not get in.”

The Jordanian daily *Falastin* wrote on February 19, 1949: “The Arab states ... encouraged the Palestinian Arabs to leave their homes temporarily in order to be out of the way of the Arab invasion armies.”

On October 2, 1948, the London *Economist* reported, in an eyewitness account of the flight of Haifa’s Arabs: “There is little doubt that the most potent of the factors (in the flight) were the announcements made over the air by the Arab Higher Executive urging all Arabs in Haifa to quit. ... And it was clearly intimated that those Arabs who remained in Haifa and accepted Jewish protection would be regarded as renegades.”

The Prime Minister of Syria in 1948, Khaled al-Azem, in his memoirs, published in 1973, listed what he thought were the reasons for the Arab failure in 1948: “... the fifth factor was the call by the Arab governments to inhabitants of Palestine to evacuate it and leave for the bordering Arab countries. ... We brought destruction upon a million Arab refugees by calling on them and pleading with them to leave their land.”⁹³

Of course many others left simply because the war came near them, as ordinary people do, if they can, to escape violence. But in the case of the 1948 war this wave of refugees was perhaps magnified by the notorious incident at the village of Deir Yassin on April 9, 1948. The standard narrative is that Jewish forces massacred civilians there, news of which led many Arabs elsewhere to flee in fear. If that is true it must be condemned, but even then it was not characteristic of most Jewish behavior during the war. In fact, more recent research tells a different story,⁹⁴ namely that there was an ordinary battle there and that the massacre myth was invented by the Arab leadership to demonize the Zionist Jews and thus motivate Arab fighters. Unfortunately, the lie backfired and produced many Arab refugees instead.

Interestingly, the massacre myth survives to this day, despite the fact that it was apparently known by some to be false even quite early:

⁹³ <https://www.jewishpost.com/archives/news/return-as-weapon-to-destroy-israel.html>.

⁹⁴ See, for example, Eliezer Tauber, *The Massacre That Never Was: The Myth of Deir Yassin and the Creation of the Palestinian Refugee Problem* (Toby Press, 2021), <https://www.asmeascholars.org/books>.

On April 9, 1953, the Jordanian daily *al-Urdun* quoted a refugee, Yunes Ahmed Assad, formerly of Deir Yassin, as saying: “For the flight and fall of the other villages, it is our leaders who are responsible, because of the dissemination of rumors exaggerating Jewish crimes and describing them as atrocities in order to inflame the Arabs ... they instilled fear and terror into the hearts of the Arabs of Palestine until they fled, leaving their homes and property to the enemy.”⁹⁵

The point here, of course, is that many of the refugees were not produced by “Zionism” or by “the Jews,” much less by premeditated actions, but were instead produced by the normal consequences of war—and in this case by the misguided propaganda efforts of the Arabs themselves.

Plan D

That being said, some refugees *were* produced by the methods alleged by those promoting the “ethnic cleansing” charge: they were deliberately expelled by Jewish forces. Ground zero for the allegation may be Ilan Pappé’s 2006 book, *The Ethnic Cleansing of Palestine*. Although Pappé has the credentials and title of a “historian” and his work is regularly cited by anti-Israelists to lend a scholarly foundation to the charge of ethnic cleansing, this book is possibly the most dishonest academic work I have ever read. Earlier we mentioned a student statement about the war in Gaza that omitted any mention of Hamas altogether. Now imagine a professional “historian” describing a war between two armies, but leaving out almost entirely the actions of one of the armies. The picture you would be left with would be of the other army invading towns and villages and shooting at will as if on a rampage. In other words, pure evil. What’s left out is that the *first* (unmentioned) army is actually firing at the *second* army, that they’re in a *battle*. The second army may in fact be *defending* itself from the attacks, advances, and aggression of the first army. Pappé describes the 1947-48 war, initiated by the Arabs as a war of extermination, as if it were an act of Jewish aggression to realize a preconceived plan of ethnic cleansing, successful insofar as it produced the Arab refugees. If you leave out the Arab armies that were the actual aggressors, it all looks sort of plausible.

To advance this thesis, he uses the classic propaganda technique of finding a “kernel of truth,” which, when exaggerated or examined outside of context, becomes the peg on which to hang the Big Lie. As noted above, the refugees are themselves one such kernel of truth: yes, refugees were created by the

⁹⁵ <https://www.jewishpost.com/archives/news/return-as-weapon-to-destroy-israel.html>.

establishment of Israel, but mostly as a result of the war started by the Arabs. In this particular instance, the “kernel of truth” is a document known as “Plan D,” which Pappé treats as a “smoking gun.” This was a military plan developed in March 1948 and adopted by the Haganah, the Jewish defense forces that were the precursor to the IDF, in April 1948. Though it was available to the public as early as the early 1960s and was published in the 1970s, it was only on being released in an English translation in the late 1980s that it became widely known.⁹⁶

How is Plan D presented as a “smoking gun,” thus fueling the Big Lie of ethnic cleansing? In its maybe dozen pages there are a couple of paragraphs that outline conditions under which military commanders could compel the evacuation of villages:

4. Mounting operations against enemy population centers located inside or near our defensive system in order to prevent them from being used as bases by an active armed force. These operations can be divided into the following categories:

Destruction of villages (setting fire to, blowing up, and planting mines in the debris), especially those population centers which are difficult to control continuously.

Mounting search and control operations according to the following guidelines: encirclement of the village and conducting a search inside it. In the event of resistance, the armed force must be destroyed and the population must be expelled outside the borders of the state.

The villages which are emptied in the manner described above must be included in the fixed defensive system and must be fortified as necessary.

In the absence of resistance, garrison troops will enter the village and take up positions in it or in locations which enable complete tactical control. The officer in command of the unit will confiscate all weapons, wireless devices, and motor vehicles in the village. In addition, he will detain all politically suspect individuals. After consultation with the [Jewish] political authorities, bodies will be appointed consisting of people from the village to administer the internal affairs of the village. In every region, a [Jewish] person will be appointed to be responsible for arranging the political and administrative

⁹⁶ https://en.wikipedia.org/wiki/Plan_Dalet.

affairs of all [Arab] villages and population centers which are occupied within that region.⁹⁷

In Pappé’s hands, this document demonstrates the Jews’ “premeditated intention” of ethnic cleansing—they had a “plan” for it—and does so by broadly licensing the wholesale expulsion of Palestinian Arabs from their villages. Never mind the various other reasons refugees left, as described above. For Pappé, Plan D reveals that it was all due to premeditated ethnic cleansing.

But in fact it reveals no such thing.

First, note that it is Plan “D”—literally devised *after* plans A, B, and C. It was actually drafted during the civil war phase of the conflict as a result of the rapidly evolving military situation, and does not express some “premeditated intention” from before the war. Once again, had the Arabs not started the war, the Jews would never have gotten around to drafting Plan D. Not to mention, as noted above, that the Jews had *accepted* the partition proposal, which created zero Arab refugees. Had the Arabs accepted it too, Plan D would never even have come into being.

More importantly, the context for the plan was the Jews’ switching strategy from pure defense to offense around March 1948. Up to that point, their military activity was simply aimed at defending Jewish communities from the ongoing Arab assaults during the civil war, but by March it was clear that multiple Arab armies were going to invade when the British left in May 1948. To defend themselves against that multi-army “war of extermination,” the Jews had to secure their territory. At this time, many Arab villages were actively participating in the hostilities of the civil war, the most famous example, perhaps, being the siege of Jerusalem perpetrated from around March 1948 onward.⁹⁸ As a result of the siege, the Jews in Jerusalem were being starved and had minimal access to water. An immediate priority of the Haganah was thus to gain access to the city and save the lives of thousands of Jews. But since many of the surrounding Arab villages were helping to enforce the siege, those villages had to be defeated and evacuated—to save lives and to secure the territory that was necessary for the Jews to defend themselves from the pending multi-army “war of extermination.”⁹⁹

These actions, in other words, were carried out both in self-defense and with 100% military justification. The motivation was not a pre-existing desire to expel Arabs

⁹⁷ <https://www.jewishvirtuallibrary.org/plan-dalet-for-war-of-independence-march-1948>.

⁹⁸ <https://www.machal.org.il/about-machal/the-siege-of-jerusalem/>.

⁹⁹ To this we might add that the fledgling Israeli army was too small to garrison all Arab villages and towns while conventional Arab armies invaded. As a result, mixed populations of combatants and civilians were sometimes expelled on a limited, case-by-case basis under conditions of existential threat.

but only military necessity—a necessity created by the Arabs’ declaring war and invading. As Plan D itself states, in article 4, above: “In the absence of resistance, garrison troops will enter the village and take up positions in it or in locations which enable complete tactical control.” Truly civilian villages that weren’t actively participating in hostilities were thus largely left untouched.¹⁰⁰

The best proof of this actual motivation was that any such evacuations were left up to the decisions of the individual military commanders on the ground during the course of battles—the *large majority of whom conquered numerous villages without expelling anybody*. When the war was over, some 160,000 Arabs remained in Israel, about 20% of the original Arab population, along with about 650,000 Jews. Plan D was not a “policy of ethnic cleansing” but a military plan with the military objective of defending the Jewish state from an openly proclaimed genocidal slaughter in a “war of extermination” started by the invading Arab armies.

Remember: no war, no refugees.

The Reverse

In fact, the reverse of the lie is true. As we have seen, the *Arabs* had the openly proclaimed goal of expulsion and extermination. If you want an example of actual ethnic cleansing, consider that Jews were massacred or expelled from all the areas that the Arabs conquered in the 1948 war. Over 10,000 Jews living in Judea/Samaria and the Gaza Strip were driven out or killed, while their communities, property, and homes were destroyed or confiscated. Most notably, this was perpetrated by Jordan, which captured what became “East Jerusalem” (including the Old City) and killed or expelled all the Jews from there—many of whom could trace their heritage in the Land back centuries and even millennia—and then set about destroying most of the synagogues there as well.¹⁰¹ During the 19 years of Jordanian rule over East Jerusalem, a third of the Jewish Quarter’s buildings were demolished. According to a complaint submitted by Israel to the United Nations, all but one of the 35 Jewish houses of worship in the Old City were destroyed.

Here is a photo of Jews being expelled, along with one of Arabs plundering the Jewish quarter after the expulsion:

¹⁰⁰ It’s also useful to compare Israel to other democracies. During World War II and the Korean War—the same historical period as Israel’s 1948 war for survival—the United States and the United Kingdom responded to existential or severe threats by carpet-bombing German, Japanese, and North Korean cities and by dropping atomic bombs on Hiroshima and Nagasaki.

¹⁰¹ <https://www.camera.org/article/east-jerusalem-setting-the-record-straight/>.

Figure 8: Jewish Refugees from Jerusalem¹⁰²



Figure 9: Arab Looting of Jewish Quarter after Expulsion of Jews¹⁰³



And if you want an example of actual large-scale ethnic cleansing, let's turn to the "forgotten refugees"—the Jewish refugees created as the Arab world turned on its Jews. Prior to 1948, there were as many as a million Jews living across Arab and

¹⁰² <https://www.camera.org/article/east-jerusalem-setting-the-record-straight/>.

¹⁰³ [ibid.](#)

Muslim lands, many in communities that were many centuries old. (The Iraqi community, for example, could trace its roots as far back as the Babylonian exile in the sixth century BCE!) During the years leading up to 1948, and then in the years following the establishment of Israel, up to 800,000 Jews were driven from their homes, from their countries, from places they had lived for many centuries. Leaving behind their lives, their businesses, and their property, they were forced to flee penniless to countries far away—to foreign countries, cultures, and languages. This process of actual ethnic cleansing included the almost complete destruction of the aforementioned Iraqi Jewish community, some 2,500 years old, all in the matter of just a few years.

It is worth noting that this case of ethnic cleansing had nothing to do with war. There was no war going on in any of those countries at the time, and much of the ethnic cleansing occurred before and/or after the 1948 war, in some cases quite a few years after.

This famous headline sums up the situation:

Figure 10: Ethnic Cleansing of Jews from Muslim Lands¹⁰⁴



In an interesting irony of history, the number of Jewish refugees ethnically cleansed from the Arab world is approximately the same as that of the Palestinian refugees. Of those Jewish refugees, about 600,000 were resettled in Israel—at great effort by and expense to the Israeli government, and without any compensation from the Arab governments that had confiscated the refugees’ possessions.

¹⁰⁴ <https://www.nytimes.com/1948/05/16/archives/jews-in-grave-danger-in-all-moslem-lands-nine-hundred-thousand-in.html>

Some relevant numbers are presented in the following figures:

Figure 11: Jewish Refugees from Arab Countries¹⁰⁵

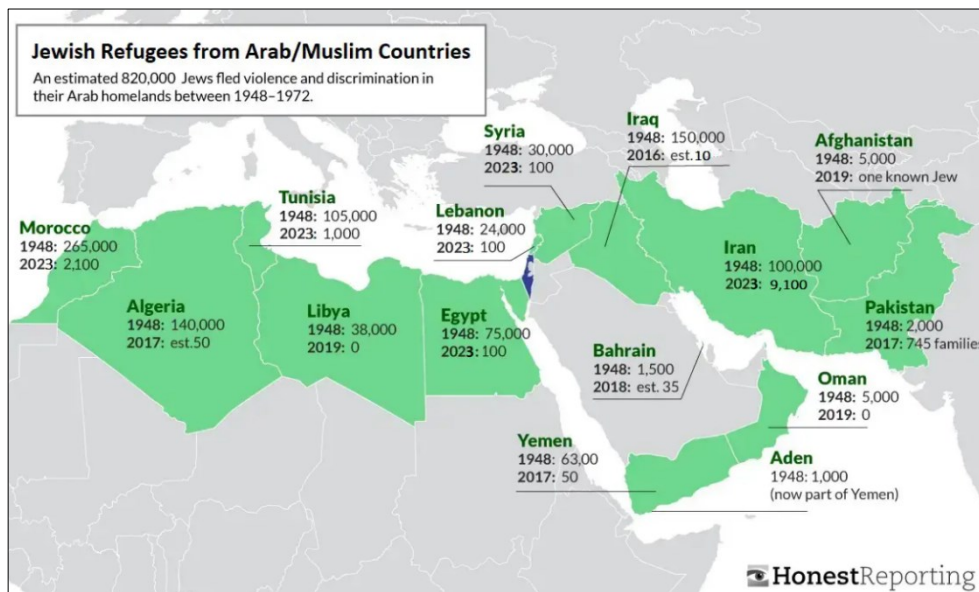


Figure 12: Jewish Populations in the Arab World¹⁰⁶

	1948	1958	1968	2011	2023
Algeria	140,000	130,000	1,500	<50	<200
Egypt	75,000	40,000	1,000	100	100
Iraq	135,000	6,000	2,500	7	4
Libya	38,000	3,750	100	0	0
Morocco	265,000	200,000	50,000	4,000	2,100
Syria	30,000	5,000	4,000	100	0
Tunisia	105,000	80,000	10,000	1,500	1,000
United Arab Emirates					500
Yemen/Aden	63,000	4,300	500	250	0
Total	851,000	469,060	69,600	~6,200	<4,000

One of the many tragedies that have occurred since 1948 is that the massive Jewish refugee situation is largely forgotten in favor of the (initially) similarly sized Palestinian refugee situation, which still receives endless attention and resources.

¹⁰⁵ <https://www.jewishvirtuallibrary.org/map-of-the-jewish-refugees-1948-1972>.

¹⁰⁶ <https://www.jewishvirtuallibrary.org/jewish-populations-in-the-arab-world>.

That story deserves its own long treatment, but is basically the result of deliberate strategies by the Arabs, for example via the establishment and subsequent perpetuation of UNRWA, the UN agency devoted to Palestinian refugees and the perpetuation of this refugee status among their descendants.¹⁰⁷

Finally, the Arab word *nakba*, or “catastrophe,” was originally used by Constantine Zurayk in his 1948 book, *The Meaning of the Nakba*, to refer to the humiliating failure of the Arab world to crush the fledgling Jewish state. This original use reflects the true historical fact that the Arabs were the aggressors, starting the war in order to exterminate and expel the Jews. Today, however, the word is used to refer to the establishment of Israel itself and the alleged “ethnic cleansing” of the Palestinian Arab refugees—framed in a way to make the Jews out to be the aggressors.

Again, the truth is the reverse.

Thus the Truth: The Jews have not committed ethnic cleansing against the Palestinians—neither in 1948 nor in the decades since. The Palestinian Arab refugee situation of 1948 was created not by Zionism but by the war the Arabs started, and the Arab population within Israel has only exploded since. On the contrary, the Arabs perpetrated ethnic cleansing against the Jews within the Land of Israel, and the Arab countries perpetrated a massive ethnic cleansing of their own Jews, in some cases destroying local Jewish communities that were centuries or millennia old.

Some resources

Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949* (Cambridge University Press, 1989).

Benny Morris, *The Birth of the Palestinian Refugee Problem Revisited* (Cambridge University Press, 2004).

Benny Morris, *1948: A History of the First Arab-Israeli War* (Yale University Press, 2009).

Malka Hillel Shulewitz, ed., *Forgotten Millions: The Modern Jewish Exodus from Arab Lands* (Continuum, 2000).

Efraim Karsh, *Palestine Betrayed* (Yale University Press, 2011).

¹⁰⁷ It is important to note that the Palestinians are unique, among the many millions of refugees worldwide, in having their official “refugee status” automatically pass down from parent to child, thus effectively guaranteeing an ever-expanding number of perpetual refugees. On the topic of the manipulation of Palestinian refugees, there is no better book than the one by Einat Wilf and Adi Schwartz, *The War of Return: How Western Indulgence of the Palestinian Dream Has Obstructed the Path to Peace* (All Points Books, 2020).

Big Lie #5:

... as part of their project of “settler-colonialism”...

The purpose of this lie is clear: to delegitimize the Jewish presence in this land and portray the Jews who live there (and those who support them) as purely evil aggressors. A “settler-colonist” is someone who does not belong there, who comes from somewhere else and takes over, typically by force, and thus may justifiably be removed by force. It is among the worst slurs coined by the academy since the mid-late 20th century, which was the start of the great era of *decolonization* both literally across the globe (as nations established independence from their colonizers beginning earlier in the century) and ideologically within the academy (as the theoretical concept of “decolonizing” metastasized across disciplines from at least the early 1960s onward).

Here, for example, we see CUNY professor Marc Lamont Hill justifying the October 7 massacre as a form of “decolonization.” Remarks such as these were extremely widespread in campus justifications of October 7:

Figure 13: Tweet by Marc Lamont Hill, October 18, 2023¹⁰⁸



This professor’s complaint is clearly predicated on the assumption that Israel is a “colonialist enterprise”—our Big Lie #5.

¹⁰⁸ <https://x.com/marclamonthill/status/1714765728123879904>. One of the sources of the well-known phrase “decolonization is not a metaphor” is the 2012 paper of the same name by Eve Tuck and K. Wayne Yang, available at <https://clas.osu.edu/sites/clas.osu.edu/files/Tuck%20and%20Yang%202012%20Decolonization%20is%20not%20a%20metaphor.pdf>.

Settler-colonialism” can mean different things, so it’s useful to offer a working definition. According to Cornell Law School’s Legal Information Institute, “The concept of settler-colonialism can be defined as a system of oppression based on [genocide](#) and [colonialism](#), that aims to displace a population of a nation (oftentimes [indigenous](#) people) and replace it with a new settler population.”¹⁰⁹ The paradigm case is the European colonization of various territories, with an emphasis on the Americas, where many indigenous peoples were displaced or killed in large numbers. The terms “indigenous,” “displace,” and “replace” emphasize the idea that settler-colonists are outsiders. Note too that, as in the case of genocide, this definition invokes “intent,” noting that settler-colonialism “aims” to displace and replace.

So are Jews, through their Zionism and the establishment of the State of Israel, guilty of settler-colonialism?

Indigeneity and Colonialism

Let’s begin with a famous quote by Charles Krauthammer:

Israel is the very embodiment of Jewish continuity: It is the only nation on earth that inhabits the same land, bears the same name, speaks the same language, and worships the same God that it did 3,000 years ago. You dig the soil and you find pottery from Davidic times, coins from Bar Kokhba, and 2,000-year-old scrolls written in a script remarkably like the one that today advertises ice cream at the corner candy store.¹¹⁰

In other words, Jews are not outsiders but the oldest surviving indigenous inhabitants of the Land of Israel. According to Israel’s Declaration of Independence, “the Land of Israel was the birthplace of the Jewish people.”¹¹¹ The Jews formed their national identity there by about 1200 BCE, had sovereignty, autonomy, or dominant presence there for some 1,400 years, maintained a continuous presence for the next 2,000 years, and made relentless efforts to return in small groups and large. *The establishment of Israel was in fact the first and perhaps only case where an indigenous people reclaimed (and thus “decolonized”) the homeland that others had colonized.* Those promoting “decolonization” really should be siding with the Jews.¹¹²

¹⁰⁹ https://www.law.cornell.edu/wex/settler_colonialism.

¹¹⁰ <https://www.washingtonexaminer.com/magazine/1871516/at-last-zion/>.

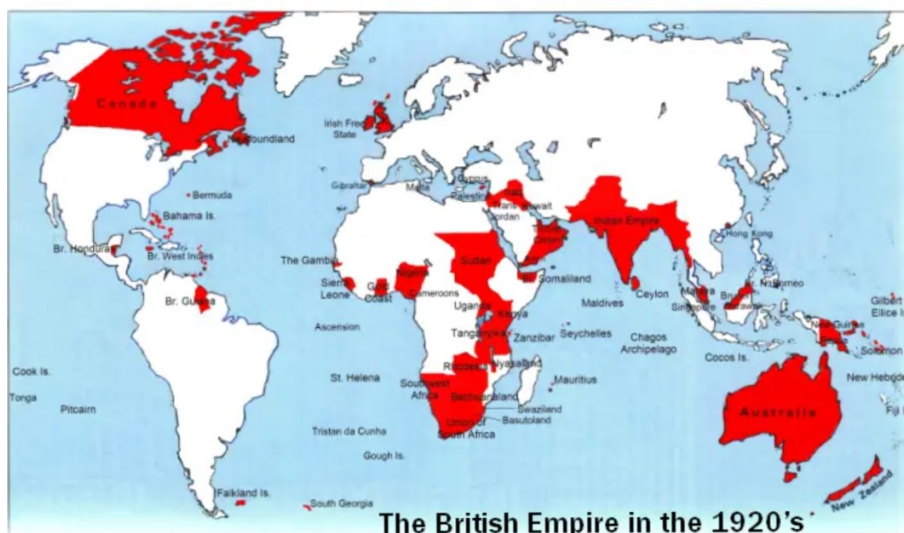
¹¹¹ https://avalon.law.yale.edu/20th_century/israel.asp.

¹¹² Bret Stephens of the *New York Times* puts it well: “Whatever else it is, Jewish nationalism—that is, Zionism—is the oldest continuous *anticolonial* (emphasis added) movement in history, starting well before the Romans sought to de-Judaize the area by calling their Levantine colony Palestina. Hanukkah, the festival of lights, is one such reminder, celebrating the recovery of Jerusalem from colonizing Greeks in the second century B.C.E.” In “Settler Colonialism: A Guide for the Sincere,” *New York Times*, February 6, 2024, <https://www.nytimes.com/2024/02/06/opinion/settler-colonialism.html>.

True examples of colonialism usually involve the following features: a mother country expanding its empire, typically by conquering other independent countries or regions and settling its own people there to rule over the natives, either expelling or exploiting them, introducing a language and culture foreign to the place, and syphoning off the valuable resources of the conquered territory to enrich the mother country. Not one of these characteristics applies in the case of Israel. Prior to 1948, there was no pre-existing Jewish empire and no independent country of Palestine; there was no military conquest but rather immigration and the purchase of land; the Jews established their own institutions and were not interested in ruling over the local Arabs; the language and culture they developed were resurrections of those native to the area; the land they came to had almost no resources, being a largely desolate and underdeveloped malaria-ridden backwater; and nothing was syphoned off and sent back to any mother country—if anything, Jews in the diaspora contributed resources *to* Palestine, while the Palestinian Jews built up the country for the benefit of *all* its inhabitants, such that hundreds of thousands of Arabs actually flocked *into* the country.

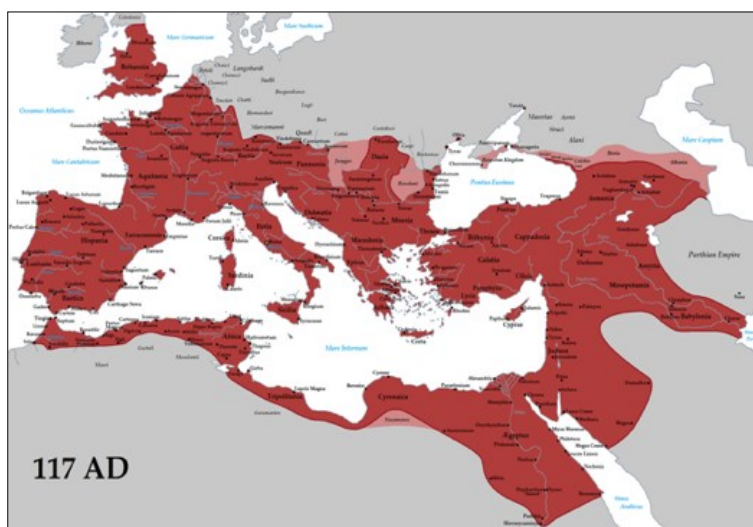
To see what true colonialism looks like, consider these maps of the British Empire and the Roman Empire, illustrating the broad expanse of territory they captured and ruled:

Figure 14: The British Empire in the 1920s¹¹³



113 <https://general-history.com/the-british-empire-in-1920/>.

Figure 15: The Roman Empire¹¹⁴



What's true—the kernel of truth on which to hang this Big Lie—is that Jews arrived in significant numbers to Palestine from the late 19th century onward. But the Jews who emigrated there were not colonizers serving a mother country but *refugees* fleeing antisemitic persecution and deadly pogroms across Europe and the Middle East. From the late 1930s onward, Jews were nearly entirely ethnically cleansed from the Middle East and North Africa and literally had nowhere else to go but to their indigenous homeland, in most cases as penniless refugees. As Alan Johnson has put it, “To call Jews who fled an antisemitic Europe or staggered out of Auschwitz, propping up their skeletal bodies on one another, ‘settler colonialists’ is obscene.”¹¹⁵ Again, diaspora Zionists and Jews often donated money to support impoverished Jews in the Land of Israel, the *opposite* direction of cash flow of a typical colony. Meanwhile not only was no one displaced but significant numbers of Arabs *also* emigrated to the region from all over the Arab world—not as persecuted refugees but in pursuit of better economic conditions, often sending money back to their own home countries. If anyone should be considered colonizers, it should be them.

The following point is particularly salient in light of today's political climate: if you insist that these Jewish refugee immigrants should still be regarded as colonizers, then you also have to grant that the Muslims who have been pouring into Europe in recent decades are in fact colonizing Europe and that the Mexicans (and other Spanish-speaking peoples) pouring into the southwestern United States are in fact colonizing the US—claims that, today, are instantly classified as racist. It is thus equally racist to depict the Jewish immigrants who arrived in Mandatory Palestine

¹¹⁴ https://simple.wikipedia.org/wiki/Roman_Empire.

¹¹⁵ https://x.com/Fathom_Editor/status/1800530064335052923.

as “colonizers.” (And it would be racist—not to say antisemitic—to apply a double standard by claiming that these Jewish immigrants were colonizers while today’s Muslims and Mexicans are not.)

It is important to remember that the Jews, and Zionism, displaced, took over, and exploited *nobody*.¹¹⁶ There was room enough—and benefits—for everyone, exactly as the early Zionists, from Herzl onward, had foreseen. This conclusively refutes the “intention” component of the definition of settler-colonialism presented above.

“Stolen Land”

A corollary of the “settler-colonialism” lie is that the Jews “stole the land.” Indeed, my own office door, decorated with hostage posters after October 7, was defaced with a poster whose violence-affirming slogan can be found at anti-Israel rallies everywhere: “No Peace on Stolen Land!” In response to this, it is important to recall that at the time of the November 1947 partition proposal there were zero Arab refugees. What land the Jews had acquired to that point had not been “stolen” but *bought*. The Arab leadership even acknowledged to the 1937 British Peel Commission that all the relevant land had been legally purchased.¹¹⁷ The basic story is well known: Jewish pioneers bought swampy, malaria-ridden, uninhabitable land from Arab landowners, typically at exorbitantly inflated prices, then drained the swamps and developed the land, thereby increasing its value and developing the economy in a way that drew in more Arabs.

A vivid confirmation of this fact may be found in a recent scientific article about malaria, of all things, called “Border Malaria: Defining the Problem to Address the Challenge of Malaria Elimination.”¹¹⁸ It shows that the land that the UN proposed in 1947 for the nascent Jewish state closely corresponded to areas that had previously been documented as malaria-ridden, while local Arabs mostly lived elsewhere, thus confirming the basic story sketched above:

Malaria may play a role in defining the boundaries between states. The political boundaries between the Arab and Jewish States, which were delineated in the United Nations Partition Plan for Palestine in 1947,

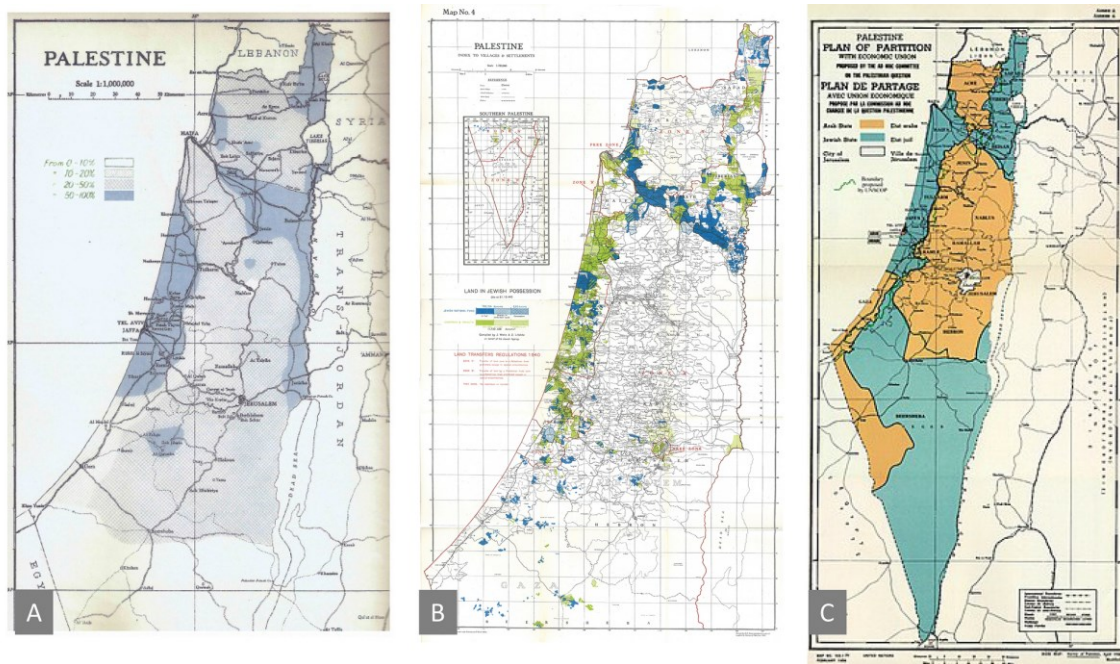
¹¹⁶ There were instances of economic displacement, where Jews purchased land and opted to work it themselves, thus displacing Arab workers. But these were small-scale, rather ordinary instances of what one might today refer to as “gentrification,” and there were programs in place to help displaced workers find work elsewhere in the region (William Ziff, *The Rape of Palestine*, 1938). However, it is worth noting that even this is the opposite of a traditional colonial venture, in which the local population was typically enslaved or otherwise exploited for its labor.

¹¹⁷ <https://blogs.timesofisrael.com/what-palestinian-land-was-stolen/>.

¹¹⁸ <https://malariajournal.biomedcentral.com/articles/10.1186/s12936-023-04675-3>.

coincided with the boundaries of severity of malaria in Palestine in 1920 (Fig. 3). At that time, Arabs had already settled in the low malaria transmission areas of Palestine, leaving the high malaria endemic areas sparsely populated. After the arrival of Jews, significant efforts were made to eliminate malaria, which resulted in a more habitable land and the birth of [the] state of Israel. Here “border” is a footprint of the interplay between malaria, man and his environment.

Fig. 3



Historical maps of Palestine. A. Spleen enlargement rates indicating severe malaria areas in Palestine in 1920 (Source: Palestine Department of Health 1941); B. Jewish settlement areas in Palestine (coloured in blue and green) (Source: UN 1947); C. 1947 UN Partition Plan for Palestine (Source: UN, 1947).

So that takes us up to 1948. Now comes the next “kernel of truth.” After the 1948 war, Israel ended up with somewhat more territory than the partition plan had proposed, and 500,000-800,000 Palestinian refugees had abandoned their homes and property, which in most cases they were not to recover. However, this outcome was also not the result of “settler-colonialism” or “land theft.”

First of all, what exactly were the Jews supposed to do when their country was invaded by multiple Arab armies? Not defend themselves from extermination? Not try to win the war? To suggest that Jews’ defending themselves from extermination is somehow illegitimate is to expose one’s antisemitism directly. The Jewish “crime” here, in effect, was that the Jews had the audacity to win the war that was launched against them. Recall how the meaning of the term *nakba* has shifted from referring

to the Arab failure to exterminate the Jews to describing Jewish aggression; so too the Arabs' failed attempt to exterminate the Jewish state has cynically and misleadingly been recast as the Jews' colonization and theft of Palestinian land.

What happened in 1948 had by this time—and tragically—already become a global norm: a war creating millions of refugees who had lost everything and had no choice but to move on with their lives. It is important to remember that the Arab refugees were not alone in this, witness the roughly equal number of Jewish refugees expelled from Arab states, as well as tens of millions of others from all the other wars that occurred during this period. Once again, the plight of the Palestinian refugees was not caused by Zionism but was a by-product of a war that the Arabs themselves had started and lost. And it is neither “settler-colonialism” nor “stealing land” to win a defensive war against an enemy that wishes to exterminate you.

What about after the war? Should Israel have given the land back and allowed the refugees to return?

Well, Israel tried to, but the Arab nations rejected every effort to conclude peace agreements that could have allowed some, many, or even most of these refugees to return home. As far as I'm aware, the “land for peace” concept that originated here was unprecedented in the history of warfare. Typically, the victor in a war demands that the loser make concessions for peace; here, and possibly here alone, the victor (Israel) offered concessions (in the form of land and repatriation) to encourage the losers (the Arab nations) to accept peace.

These same points were only magnified after 1967, when Israel won another defensive war against multiple Arab armies. In the interests of nuance, it's true that Israel acted pre-emptively against Egypt and thus committed perhaps the first official military act of that war, but Egypt had already committed many acts that could be considered legitimate causes of war and made clear that war was imminent.¹¹⁹ That Israel pre-emptively attacked Egypt does not make the war any less “defensive.” Israel had neither a desire to start—nor an interest in starting—a war and only acted in self-defense in advance of Egypt's attack. This sliver of nuance doesn't apply to the other Arab armies, which clearly attacked first. Israel explicitly urged Jordan to *stay out* of the war, an appeal that Jordan ignored by launching an offensive. Quite astonishingly, Israel roughly quadrupled its original size as a result of the war, capturing the Golan Heights from Syria, Judea/Samaria from Jordan, and Gaza and the Sinai from Egypt.

¹¹⁹ Examples include removing UN peacekeepers, massing its army on Israel's border, and blockading Israel's southern port of Eilat, all while announcing Israel's impending destruction.

Once again, was Israel supposed to not defend itself and allow its population to be slaughtered? Should it have fought the war but not tried to win?

After the war, Israel once again offered “land for peace,” offering to return large amounts of the territory it had just captured in exchange for peace. *Israel wanted to give the land back*. Needless to say, that is the opposite of settler-colonialism, which aims to *acquire* land, not give it back.

But the Arabs responded with the famous “Three No’s of Khartoum”: no peace, no recognition, no negotiation.¹²⁰ Imagine if someone tries to kill you and that in defending yourself you grab something of theirs that helps you defend yourself. You win the fight and then repeatedly offer to give back the item in exchange for them stopping their attacks on you—but they repeatedly refuse. That is neither colonialism nor theft on your part. It is simply self-defense against an adversary who continuously seeks to murder you.

In fact, Israel has returned the Sinai *twice* (in 1957 and 1982), returned territory it had captured in Southern Lebanon, withdrew from some 40% of Judea/Samaria in the framework of the Oslo Accords, and withdrew entirely from Gaza in 2005. Israel hasn’t merely sought to give land back but has repeatedly *done so* with the aim of establishing peace—the exact opposite of a colonialist enterprise.

To those who question Israel’s motives for holding on to whatever land it does possess, the rational response is as follows. Withdrawing from Lebanon allowed Hezbollah to establish itself there and fire thousands of rockets at Israeli civilians, including during the war that is ongoing as I write. Withdrawing from Judea/Samaria allowed the Second Intifada to be waged from there, resulting in the murder or injury of thousands of Israeli civilians. Finally, withdrawing from Gaza allowed Hamas to start five wars, fire some 75,000 rockets at Israeli population centers, and orchestrate the October 7 massacre. If ever security considerations justified holding on to land, it is in the case of Israel. It is currently impossible to give in to the demands of those who insist that Israel withdraw entirely from Judea/Samaria, if only for security reasons. Once again, this doesn’t amount to “colonization” or “land theft”—it is simple self-defense.

The Reverse

Regarding the charges of “settler-colonialism” and “stealing land” against Israel, once again the reverse is true, as it is the other side that is more clearly guilty of these crimes. Regarding “stolen land,” it is worth recalling that by 1967 the ethnic cleansing of Jews from the Middle East and North Africa was largely complete. Most

¹²⁰ https://en.wikipedia.org/wiki/Khartoum_Resolution.

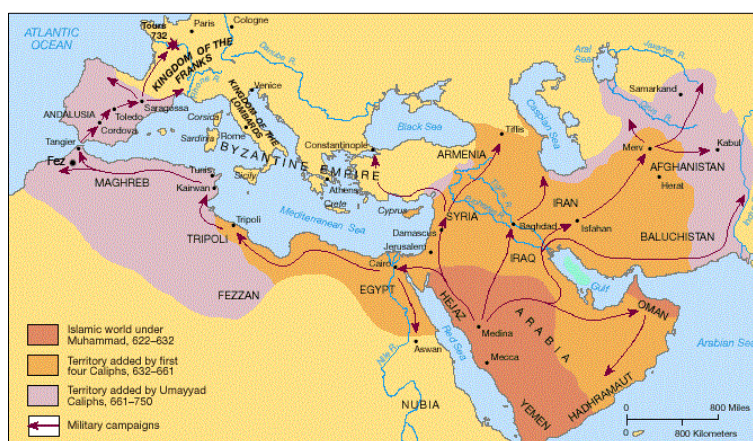
of the expelled 800,000 Jews ended up in Israel with no compensation for their lost property and lives. Some estimates put the amount of property stolen from these involuntary refugees at \$300 billion, including real estate and other assets. Who exactly is guilty of stealing land and property in this scenario?

As for “settler-colonialism,” one way to spot a colonialist empire is through language. Languages spread through the people who spread them. Hebrew is an indigenous tongue that is rooted in the language spoken in the Land of Israel as far back as 3,000 years ago. It is spoken in Israel and nowhere else on earth—at least not to any significant extent. On the other hand, Arabic—the language of the Arab Palestinians—is spoken by hundreds of millions of people across the region. If you want an example of true colonization, consider the history of the Muslim Arabs who swept out of Arabia starting in the seventh century and conquered most of the Middle East and North Africa, Islamicizing and Arabicizing the many indigenous people they conquered.

Figure 16: The Muslim World¹²¹



Figure 17: Islamic Imperialism¹²²



121 https://en.wikipedia.org/wiki/File:Muslim_distribution.jpg.

122 https://www.researchgate.net/figure/MAP-OF-ISLAMIC-GROWTH-IN-MEDITERRANEAN-AND-ELSEWHERE_fig7_316749281.

And perhaps nothing better reflects the painful irony of the anti-Israelists' accusations of *Jewish* colonialism than the fact that the Muslims built the Al-Aqsa Mosque directly on top of the ruins of the ancient Jewish Temple, which rather clearly indicates who was there first. The re-establishment of Jewish sovereignty in the Land of Israel was thus doubly “decolonialist” in nature: it removed not only the British colonial rule of nearly three decades but also the Islamic colonial rule of many centuries, thereby restoring the Land to the sovereignty of its original indigenous people.

As Bret Stephens, quoted above, has put it so well: Zionism is the oldest continuous anticolonial movement in history.

Thus the Truth: The establishment of Israel was the opposite of “settler-colonialism,” representing a decolonial project in which the original indigenous people of the land regained their sovereignty. Those who emigrated there in modern times did so as refugees (not as colonizers) who bought land and developed it for the benefit of all local inhabitants, displacing nobody until the Arabs started a series of wars designed to exterminate the Jewish state. Following those wars, Israel repeatedly offered to give back land and did so on several occasions, either in the framework of peace agreements or unilaterally. In fact, the process of Israeli nation-building bears no resemblance to typical land-grabbing colonial enterprises, such as the Muslim Arab imperialism and settler-colonialism that conquered much of the Middle East and North Africa.

Some resources

S. Ilan Troen, “Countering the BDS Colonial Settler Narrative,” Academic Engagement Network (AEN) Pamphlet #4 (2018).

Michael Oren, *Six Days of War: June 1967 and the Making of the Modern Middle East* (Oxford University Press, 2002).

Efraim Karsh, *Islamic Imperialism: A History* (Yale University Press, 2007).

Marc A. Greendorfer, “The True History and Legal Meaning of Colonialism in the Holy Land: The 2042 B.C.E. Project,” *International Journal of Law, Ethics, and Technology* 2 (Summer and Fall 2022).

Big Lie #6:

... thus coming to “occupy” Palestinian land (in 1948 and to a greater extent after 1967)...

One of the major charges long levied against Israel—enshrined in the foundational charters of the international Boycott, Divestment, and Sanctions (BDS) movement against Israel and Students for Justice in Palestine (SJP), embedded within the ideology of the UN,¹²³ and an essential part of the campus movement—is the claim that Israel “occupies Palestine” or “occupies Palestinian territory,” as illustrated by an endless number of images available on social media:

Figure 18



Figure 19



Figure 20: Gaza Protest¹²⁴



¹²³ A 2016 *Wall Street Journal* article documents 530 General Assembly references to Israel as an “occupying power” versus zero for Indonesia (East Timor), Turkey (Cyprus), Russia (Georgia, Crimea), Morocco (Western Sahara), and many more. See <https://www.wsj.com/articles/at-the-u-n-only-israel-is-an-occupying-power-1473808544>.

¹²⁴ <https://eastbayecho.com/2023/10/15/thousands-in-bay-area-protest-us-support-of-israeli-aggression-in-gaza/>.

The claim is so entrenched that the very title of the current International Court of Justice case against Israel, based on a request for an Advisory Opinion submitted by the UN General Assembly, is “Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem.”¹²⁵ And indeed, as this essay was being written, that same court found, to the surprise of no one, that Israel is guilty of occupying “Palestinian territory” and that, therefore, the Israeli communities in East Jerusalem and Judea/Samaria are “illegal.”¹²⁶

Note that the claim comes in more moderate and extreme versions. The moderate version is that only Judea/Samaria (and Gaza prior to 2005), including East Jerusalem, should be regarded as “occupied Palestinian territory.” This is—or was—perhaps the dominant form of the claim among liberal, left-wing critics of Israel, particularly on campuses, at least until a few years ago. However, in recent years, and clearly since October 7, the moderate version has been overtaken by a more extreme view, namely that *all* of Israel should be regarded as occupied Palestinian territory—even Gaza post-2005, Israel’s withdrawal notwithstanding. This extreme view is now the dominant view not merely among Arabs and Muslims globally but also on Western campuses and in progressive circles. Because this view is largely refuted by all the evidence presented so far—Israel is not a “settler colonial” enterprise, the Jews are indigenous to the land, they displaced no one, they bought and developed the land and thus legitimately live there, there was never an independent sovereign country called “Palestine,” etc.—our focus here will be on the moderate version.

Whether this version should be called a “lie” is perhaps debatable, not least because many Jews and left-leaning Zionists are inclined to endorse it.

On this issue, I’d like to stress an important point: one can reject the claim that Israel “occupies” Judea/Samaria (including East Jerusalem) and still believe that it ought not to claim sovereignty over or even build in all or part of this area. One may reasonably believe, for example, that peace requires a two-state solution and that this requires an Israeli withdrawal from all or part of the area, even *if* one believes that Israel is not technically “occupying” and actually has a legal right to be and

¹²⁵ <https://www.icj-cij.org/case/186>.

¹²⁶ <https://www.icj-cij.org/node/204176>. I say “to the surprise of no one” since the anti-Israel politicization of the court is indisputable, as demonstrated by Eugene Kontorovich (<https://x.com/EVKontorovich/status/1814302415014727849>) among others. The major dissenting opinion is also quite blistering in its rejection of the court’s findings (see in particular the dissent of Judge Sebutinde at <https://www.icj-cij.org/node/204176>). In addition, even several of the assenting judges raised qualifications that deeply challenge the legitimacy of much of the opinion (see <https://lieber.westpoint.edu/authoritatively-stating-international-law-icj-israeli-withdrawal-opt/>).

build there. One may believe, in other words, that Israel ought to make this *concession* toward peace rather than pursuing something that it has a legal right to pursue. With this in mind, our aim here is merely to address the lie that Israel has no legal claim to the area and thus should be regarded as “occupying” it, not the broader question of whether it’s good or advisable for Israel or Jews to assert sovereignty over or maintain a presence there.

As for the “area in question,” a terminological note is appropriate here. Much of the world, including many Jews and Zionists, uses the term “West Bank.” I think that’s a bad term for several reasons. First, it’s historically misleading. The area has been known as “Judea/Samaria” since Biblical times, whereas “West Bank” is essentially a colonialist name that, along with its demarcation as a separate area, only appeared after it was illegally occupied by Jordan in 1948. Secondly, the term biases the argument against Israel. “Judea/Samaria” is a reminder of the region’s connection to Judaism (Judea/Judaism) and of its long history as a Jewish land (it is literally the Biblical heartland). In contrast, “West Bank” carves it off as a separate entity from the Land of Israel and is therefore the name that Israel’s enemies like to use. Hence my use of “Judea/Samaria” from the start of this essay.

So, does Israel “occupy Palestinian territory” in Judea/Samaria (including East Jerusalem)?

The short response is as follows. Technically, and legally, there is no occupation at all. Under the 1993 Oslo Accords, a legal agreement concerning who would administer which regions, even the Palestinians acknowledged that the “occupation” of Judea/Samaria was over.¹²⁷ Some 90-95% of Palestinians there now live in areas that are essentially fully governed by Palestinians.¹²⁸ Moreover, it literally doesn’t even make sense to think of Judea/Samaria as “occupied Palestine,” as there never previously existed a sovereign Arab country called “Palestine” to *be* occupied.

A more detailed response addresses the issue of what exactly constitutes an “occupation.” There’s a large literature on this topic, but the basic idea is that one country occupies another by crossing an international border and taking over the latter’s sovereign territory. But neither condition is satisfied in the current case. No international border was crossed by Israel in capturing Judea/Samaria in 1967. What was crossed, in the framework of a defensive war, was the “Green Line,” that is, the ceasefire line established in 1949. But the Arab countries themselves insisted that

¹²⁷ <https://www.ipost.com/opinion/article-761124>.

¹²⁸ <https://www.haaretz.com/2014-03-05/ty-article/.premium/un-300k-palestinians-live-in-area-c/0000017f-f5ad-d47e-a37f-fdbdef370000>; <https://www.cfr.org/background/who-governs-palestinians>.

this was not a “border,” because they didn’t want to recognize a Jewish state within any borders.¹²⁹ Moreover, the territories were captured from Jordan and Egypt, not from “Palestine.” You can’t “occupy” a country unless that country already exists. By that fact alone Israel literally cannot “occupy” *any* part of “Palestine.” The fact that one may *wish* that Judea/Samaria belonged to the Palestinians and *believe* that this would be the fairest outcome doesn’t simply make it so.

Note, too, that in 1964 the Palestine Liberation Organization (PLO) openly declared in article 24 of its founding charter that it “does not exercise any regional sovereignty over the West Bank [or] the Gaza Strip.”¹³⁰ It didn’t even claim those regions as Palestinian territory, so Israel’s subsequent control of them can hardly amount to an occupation of Palestinian territory. In fact, few people referred to these regions as “Palestinian territories” until sometime *after* Israel captured them from Jordan and Egypt in 1967. Judea/Samaria went seamlessly from “Israeli-occupied Jordan” immediately after 1967 to “occupied Palestinian territories” over the course of a number of years.¹³¹ The UN itself didn’t start using the term “occupied Palestinian territories” in its own reports until 1983.¹³² Before then, they were referred to as “occupied Arab territories,” which was already problematic given the lack of prior Arab sovereignty.¹³³

In 1988, Jordan gave up its claim to Judea/Samaria, officially ending any pretense of its being “Israeli-occupied Jordan.” However, this act was not sufficient to make the region “Palestinian.” Even if Jordan had “transferred” its claim to the Palestinians this would have been irrelevant, since it never had any legal sovereignty to transfer—almost no countries had recognized its attempted annexation of the area after its offensive war against the Jews in 1948. But Jordan didn’t even bother to transfer its territorial claim. In July 1988, it severed all ties without carrying out any formal, legal transfer of the territory to the PLO.¹³⁴ If anything, Jordan’s official decision to end its fictional sovereignty over the area made Israel the only entity that had any legal claim to it before Oslo, as we’ll see in a moment.

¹²⁹ <https://jcpa.org/article/from-occupied-territories-to-disputed-territories/>.

¹³⁰ <https://www.jewishvirtuallibrary.org/the-original-palestine-national-charter-1964>.

¹³¹ <https://elderofziyon.blogspot.com/2023/08/the-uns-latest-anti-israel-legal.html>.

¹³² <https://elderofziyon.blogspot.com/2020/04/that-elusive-magic-moment-when-judea.html>.

¹³³ Perhaps one could argue that they earn the label “occupied Arab territories” from the fact that the 1947 UN partition proposal had allotted those territories to the “Arab state.” Fair enough, except that the Arabs rejected that proposal and launched the 1948 war over it because they refused to acknowledge the establishment of a Jewish state. They lost that war and *de facto* failed to establish an Arab state there, so again there was no Arab state there to be occupied when Israel captured the region.

¹³⁴ http://www.kinghussein.gov.jo/his_periods9.html. King Hussein’s speech on July 31, 1988, was not a legal treaty.

Indeed, under international law, territory can be legally acquired in a limited number of ways,¹³⁵ none of which apply to the Palestinians here. The only method that has applied is that of agreement with Israel regarding Areas A and B under the Oslo Accords, and then regarding Gaza after Israel withdrew in 2005. In transferring those areas to the Palestinian Authority (and withdrawing from them completely), Israel agreed that the Palestinians would rule themselves there. From an international law perspective, then, those are the only areas that can currently be regarded as “Palestine”—and, since the Palestinians rule themselves in these areas, Israel does not “occupy” them. The Palestinians literally have no international legal title to any other land in Judea/Samaria, or East Jerusalem, much less Israel proper. As a result, those areas also cannot be regarded as “occupied Palestine.”

This bears repeating: legally speaking, Israel does not “occupy” any part of “Palestine.”

There is no occupation, not even of the moderate kind.

Some suggest, however, that we should use the term “occupation” not legally but “demographically”: Judea/Samaria has a large majority Palestinian population, for example, so we might consider it to be “Palestinian territory” in a non-legal sense. The Israeli presence there, then, may not be a legal occupation but rather a “practical” one. As Micah Goodman suggests in his book *Catch-67*, one might say that it’s not Palestinian land that is occupied but the Palestinian people. That fact may well motivate those who believe that Judea/Samaria *should* be considered (and eventually become) “Palestine,” though we must remember it has no legal force. It reflects the desire or wish that the region should belong to “Palestine,” but not the actual fact that it does.

Even granting the emotional force of this argument, however, it is important to remember what contributed to that demographic majority: as we saw earlier, Jordan ethnically cleansed the area of thousands of Jews, leaving literally zero Jews there, then forbade any Jewish entry until Israel recaptured it in 1967. Something seems wrong with forcefully cleaning out an entire group and then claiming ownership of the region based on the fact that the *other* group has a dominant majority there.

Moreover, many countries (or cities) have regions (or neighborhoods) where there are high concentrations, even majorities, of a particular ethnic minority. In the

¹³⁵ https://en.wikipedia.org/wiki/Acquisition_of_sovereignty#:~:text=The%20modern%20international%20law%20of,a%20continuous%20and%20peaceful%20basis.

United States, for example, there are dense Latino populations in the South and the Southwest, as well as Latino neighborhoods in some cities. Likewise there are heavily Black neighborhoods or even predominantly Black cities. In various European countries (such as France and England), there are entire Muslim neighborhoods and regions. The fact that those regions have a large majority of the group in question doesn't mean the area "belongs" to that group or that they have "sovereignty" there, let alone that the country itself is "occupying" those regions, nor does anyone ever seem to claim as much. The fact that Judea/Samaria has a large Palestinian majority should be taken into account in all discussions and negotiations, but is on its own not sufficient to designate the region as "occupied" either.

Once again, one may believe that the region *should* be "Palestine," but that doesn't mean that it *is* "Palestine" and therefore that Israel is "occupying" another country or people. The latter claim simply has no basis in law or history or precedent.

But this conclusion does not mean that Judea/Samaria is part of "Israel" either, with the possible exception, under the Oslo Accords, of Area C. I'll return to this point later, but for now it is worth keeping in mind that there is another possibility, namely that these territories are "disputed" territories to which two different peoples, if not two different states, have a claim.

Gaza

What about Gaza?

As discussed above, Israel left Gaza in 2005, withdrawing 8,000 of its citizens and all its legal claims. In my opinion, no serious person can therefore consider it to be "occupied" any longer. Nevertheless, some anti-Israelists claim that Gaza was still "occupied" prior to October 7 because Israel has significant control over some of Gaza's borders and maintains a "blockade," which is often incorrectly conflated with a "siege." In fact, the former only restricts certain military or dual-use items, while the latter restricts everything.

But this claim is, honestly, not serious.

First of all, Israel doesn't control all of Gaza's borders. Egypt controls its southern border, yet no one ever accuses Egypt of occupying Gaza.

In fact, from a legal and military standpoint, “occupation” requires having actual control of an area,¹³⁶ which would require not merely control of the borders but also “boots on the ground” and more. According to Article 43 of the Hague Conventions of 1907, which provide the only legal definition of “occupation”:

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.¹³⁷

Even Amnesty International, no friend of Israel, understands “occupation” in this way, at least when not talking about Israel:¹³⁸

The sole criterion for deciding the applicability of the law on belligerent occupation is drawn from facts: *the de facto effective control of territory by foreign armed forces coupled with the possibility to enforce their decisions, and the de facto absence of a national governmental authority in effective control. ...*

The international legal regime on belligerent occupation takes effect as soon as the armed forces of a foreign power have secured effective control over a territory that is not its own. *It ends when the occupying forces have relinquished their control over that territory.*

The question may arise whether the law on occupation still applies if new civilian authorities set up by the occupying power from among nationals of the occupied territories are running the occupied territory’s daily affairs. The answer is affirmative, *as long as the occupying forces are still present in that territory and exercise final control over the acts of the local authorities* [emphasis added].

That Israel, its blockade notwithstanding, lacks control over the territory of Gaza was made all too clear by the events of October 7, not to mention the many preceding years of Hamas violence toward Israel. Hamas’s military capabilities have increased dramatically due to what is in fact a very porous border between Egypt and Gaza, which essentially enables the free transit of persons and material. As I write, reports are coming in that the IDF has discovered several dozen tunnels

¹³⁶ <https://elderofziyon.blogspot.com/2014/07/is-gaza-legally-occupied-by-israel-no.html>.

¹³⁷ <https://ihl-databases.icrc.org/en/ihl-treaties/hague-conv-iv-1907/regulations-art-42?activeTab=undefined>.

¹³⁸ <https://www.amnesty.org/en/wp-content/uploads/2021/06/mde140892003en.pdf>.

between Gaza and Egypt,¹³⁹ each one a direct refutation of the claim that Israel controls the territory.

Moreover, even Hamas has stated that Gaza isn't occupied!¹⁴⁰ As reported by *Ynet*,

Senior Hamas member Mahmoud al-Zahar dismissed a statement made by Hamas Politburo Chief Khaled Mashaal, who claimed recently that the group will hold mass rallies against Israel within the Gaza Strip.

“Popular resistance is inappropriate for the Gaza Strip,” al-Zahar said. “Against whom exactly would be rally? [sic] Such resistance would be fitting if Gaza was occupied.” However, he claimed that all forms of resistance—including the armed kind—are appropriate for the West Bank, as it is “still under occupation.”¹⁴¹

Putting all this together, there is no substance to the claim that Israel occupies “Palestinian” territory, not in pre-1967 Israel, not in Judea/Samaria, and certainly not in Gaza.

“Israel”?

But again, this doesn't mean the “disputed territories” belong to Israel either. So might one still refer to Judea/Samaria as “Israeli-occupied territory,” even if it's not occupied *Palestinian* territory? Or does Israel itself have any claim to sovereignty there, thus negating *any* notion of “occupation”?

Wikipedia, for example, states that

Military occupation, also called belligerent occupation or simply occupation, is the temporary control exerted by a ruling power's military apparatus over a sovereign territory that is outside of the legal boundaries of that ruling power's own sovereign territory.¹⁴²

So the question comes down to what, exactly, constitutes Israel's “sovereign territory.”

¹³⁹ <https://x.com/GOPIsrael/status/1791444557915173077>.

¹⁴⁰ <https://elderofziyon.blogspot.com/2012/01/hamas-leader-admits-gaza-isnt-occupied.html>.

¹⁴¹ <https://www.ynetnews.com/articles/0,7340,L-4170429,00.html>.

¹⁴² https://en.wikipedia.org/wiki/Military_occupation.

This is a complex topic, but it is important to be aware of a key argument made by Abraham Bell and Eugene Kontorovich¹⁴³ to the effect that Israel actually has the *best* legal claim to sovereignty over the entire territory. The abstract of their article reads as follows:

Uti possidetis juris is widely acknowledged as the doctrine of customary international law that is central to determining territorial sovereignty in the era of decolonization. The doctrine provides that emerging states presumptively inherit their pre-independence administrative boundaries.

Applied to the case of Israel, *uti possidetis juris* would dictate that Israel inherit the boundaries of the Mandate of Palestine as they existed in May, 1948. The doctrine would thus support Israeli claims to any or all of the currently hotly disputed areas of Jerusalem (including East Jerusalem), the West Bank, and even potentially the Gaza Strip (though not the Golan Heights).

The legal principle of *uti possidetis juris* (“you possess under law”), according to which emerging states presumptively inherit their pre-independence administrative boundaries, is widely accepted in international law and has actually been applied to all other similar cases (which are cited in the above-mentioned article). Under this principle, Israel should inherit the boundaries of the Mandatory Palestine as they existed in May 1948, as those were the last internationally recognized “borders of Palestine.” The Mandate explicitly acknowledged the historical connection of the Jewish people to the territory and affirmed the aim of reconstituting a Jewish national home there. After the United Kingdom abandoned the Mandate, the subsequent 1948 Arab-Israeli War ended not with peace and borders (at the insistence of the Arabs) but only with armistice lines. In 1967, Israel captured the remainder of the territory of the former Mandate in the context of a defensive war. The territory captured was the one legally earmarked, by the League of Nations and then by the United Nations, for the creation of a Jewish national home. Judea/Samaria were captured from Jordan, which never had a legal claim to it, having conquered the territory in the context of an offensive war. From an international law perspective, in other words, the entire region, including Judea/Samaria, is part of a single unit *over which Israel has presumptive legal sovereignty*. And, if Israel has legal sovereignty, then there is literally no sense in which they could be said to be “occupiers” of the land.¹⁴⁴

¹⁴³ <https://arizonalawreview.org/palestine-uti-possidetis-juris-and-the-borders-of-israel/>.

¹⁴⁴ Indeed one of the dissenting judges in the ICJ opinion released as this essay went to press explicitly invoked *uti possidetis juris* as part of her dissent, see <https://elderofziyon.blogspot.com/2024/07/a-silver-lining-in-icj-uti-possidetis.html>.

Furthermore, the whole narrative of “Israeli occupation” also ignores the many peace offers Israel has made that would have established a Palestinian state alongside the Jewish one. Israel has withdrawn from Gaza and from much of Judea/Samaria and has offered major concessions to the Palestinians, in particular with respect to Jerusalem, in order to reach a final status two-state solution. The Palestinians rejected these offers every time, arguably because their goal is not so much to establish their own state but rather to destroy the Jewish one. But it is surely very odd to complain that certain territories are “occupied” by your enemy while simultaneously rejecting multiple offers granting you sovereignty over those very same territories.

The Reverse

Finally, here, too, the reverse of the original charge has the better claim to truth.

From an indigenous Jewish perspective, the land of the Jews, given to them by God but also inhabited by them for almost 4,000 years, has been subject to a series of colonial occupations over the long course of Jewish history, including Assyrian, Babylonian, Persian, Greek, Roman, Byzantine, and Arab/Muslim. Following this there were various fluctuations in colonial sovereignty, as the Muslims and Christians battled it out. Then came the Ottomans for four centuries, and then the British for three decades. In 1948, part of the Jews’ land was returned to them; in 1967, more of it. The Jews are the original indigenous inhabitants who endured a long exile while their land was occupied, and they finally returned in ample numbers to decolonize and liberate it. From this perspective, as previously noted, it’s the *Arabs and Muslims* who are the occupiers here. The fact that Muslims controlled the region on and off for some fourteen centuries, the last four of which under the Ottomans, doesn’t make them any less of an “occupier.” After all, that’s how contemporary progressives think in all other cases. The United States may be 250 years old, but in the eyes of progressives it remains, and forever shall remain, “occupied Turtle Island.” So too the four centuries of Ottoman rule was rule over “occupied Israel.” Add to this the aforementioned argument advanced by Bell and Kontorovich and international law agrees: the Jews have the best claim to sovereignty and it is the Arabs who are the colonial occupiers of Judea/Samaria.

That having been said, nothing here precludes the arrival, one day, of a peace treaty between Israel and the Palestinians establishing a Palestinian state in some or all of Judea/Samaria and Gaza, including agreements on who regulates what and who may live there. That is something for the Israelis and Palestinians to work out, hopefully to their mutual benefit. But until that day there is no sense in which Israel is “occupying” any territory, much less that of “Palestine.”

Thus the Truth: The claim that Israel occupies any “Palestinian” territory doesn’t even make sense, since there was no pre-existing Palestinian state to be occupied. Nor is there any actual legal basis to the claim. If anything, international law supports presumptive Israeli sovereignty over the entire territory. Wishing the region belonged to “Palestine” does not make it so. Nothing precludes some or all of Judea/Samaria and Gaza from becoming “Palestine” by negotiation and treaty, following the example set by the 1993 Oslo Accords. Until then, however, it’s perhaps most reasonable to refer to Judea/Samaria, in particular, as “disputed territory.”

Some resources

Dore Gold, “From ‘Occupied Territories’ to ‘Disputed Territories,’” *Jerusalem*

Viewpoints no. 470, Jerusalem Center for Public Affairs (JCPA), January 16, 2002.

Abraham Bell and Eugene Kontorovich, “Palestine, *Uti Possidetis Juris*, and the Borders of Israel,” *Arizona Law Review* 58 (2016): 633.

Avinoam Sharon, “Why Is Israel's Presence in the Territories Still Called ‘Occupation?’” *Jewish Political Studies Review* 23, nos. 3-4 (2011), 40-64.

Jason Shvili, “The Truth about Israel’s ‘Occupation’: It’s Legal, It’s Moral, and It’s Not An Occupation,” Jewish News Syndicate, January 23, 2023, <https://www.jns.org/the-truth-about-israels-occupation-its-legal-its-moral-and-its-not-an-occupation/>.

Big Lie #7:

... and building “illegal settlements.”

This lie is obviously closely related to the previous one. For many people, it’s the fact that Israel “occupies” territory in Judea/Samaria that doesn’t belong to it that makes Israeli Jewish communities there “illegal.”¹⁴⁵ If so, then the preceding section should remove most of the force of the claim. If Israel has a claim to sovereignty in Judea/Samaria then its citizens building communities there would not be illegal, as simple as that. That said, there is still more to be said on the topic.

Some preliminary remarks:

(1) Once again, we distinguish between a more moderate and a more extreme position. The moderates hold only Jewish communities in Judea/Samaria (including East Jerusalem) to be “illegal,” while the extremists believe the same applies to all of Israel. Though the extreme position has become more dominant, particularly since October 7—campus rhetoric regularly refers to all Jewish Israelis, even babies, as “settlers”—we’ll focus here on the moderate position, not least because it is held by more than a few bona fide Zionists (at least prior to October 7).

(2) One can reasonably be opposed to some or all Israeli Jewish building in Judea/Samaria for various reasons, including that it’s not “conducive to peace” or to a “two-state solution”—but that’s different from calling such building “illegal.” Settlement may be inadvisable, even morally objectionable, while still legal, so calling it “illegal” would remain a lie.

(3) The word “settlement” clearly biases the discussion against Israel. No one refers to the continuous Arab construction within Israel or even in Judea/Samaria as “settlements.” (This reveals the antisemitism of the detractors: whether they’re calling for a boycott or describing communities as “illegal,” it’s only Israeli *Jews* they are protesting against, not Israeli or Palestinian Arabs.) In the interests of neutrality, I will refer to the Jewish communities in Judea/Samaria simply as “Jewish communities.”

¹⁴⁵ See the previous discussion of the ICJ’s one-sided and poorly argued July 2024 ruling according to which Israel “occupies” Palestinian territories and its communities there are “illegal.”

(4) This lie is especially timely in light of the Biden administration’s February 2024 reversal of Trump-era policy, declaring these communities to be “inconsistent with international law.” The *New York Times* reported that Biden’s declaration was a “return to the decades-long U.S. position,” but that’s not actually true.¹⁴⁶ While the Carter administration considered the communities “illegal,” subsequent administrations did not do so until late in the Obama administration, while the Trump administration explicitly declared them legal in 2019. Biden’s recent change of position notwithstanding—being more a political move than a scholarly one—it just isn’t so.

Before getting into legal matters, it’s worth recalling the historical context. Jewish communities in Judea/Samaria are an ancient phenomenon, dating back to Biblical times but continuing right up until the present day. In modern times, such communities were recognized as legitimate by the League of Nations in the framework of the 1922 British Mandate, which authorized Britain to establish a Jewish national home by promoting “close settlement by Jews.”¹⁴⁷ Many Jewish communities established during the Ottoman or Mandate periods were *re-*established on the site of previous Jewish communities, reflecting the historical Jewish connection to the land. In fact, the only time that the establishment of Jewish communities in Judea/Samaria was prohibited was during the Jordanian occupation (1948-1967), when Jordan declared the sale of land to Jews a capital offense! But nothing about that was legally valid. The rights of Jews to live in the region and their legal title to the lands that they had privately acquired could not be invalidated by the Jordanian occupation, which resulted from an illegal military invasion of Israel in 1948 and was never recognized as legitimate at international level. Such rights and titles therefore remain valid to this day.¹⁴⁸

Legality

Turning to legal matters, the case is in *favor* of the legality of Jewish settlement in Judea/Samaria is actually very strong.

On its establishment in 1945, the United Nations incorporated the League of Nations’ mandates, including the 1922 Palestine Mandate that acknowledged the Jewish people’s long historical connection to the land and promoted their “close settlement” to establish the reconstituted homeland of the Jewish people. That fact

¹⁴⁶ <https://elderofziyon.blogspot.com/2024/02/the-nytimes-says-us-administrations.html>.

¹⁴⁷ <https://embassies.gov.il/kathmandu/AboutIsrael/State/Pages/Israeli-Settlements-and-International-Law.aspx>.

¹⁴⁸ <https://embassies.gov.il/kathmandu/AboutIsrael/State/Pages/Israeli-Settlements-and-International-Law.aspx>.

established the legal right of the Jewish people to settle there, a right that, according to Eugene Rostow, “has never been terminated ... Jewish settlement in the West Bank is therefore ... the exercise of a right protected by Article 80 of the United Nations Charter and hence necessarily part of the domestic law of the West Bank.”¹⁴⁹ Article 80 of the UN Charter provides for the preservation of all relevant preceding international law unless there are explicit international agreements that override it.¹⁵⁰ Since there have been none (at least not prior to the 1993 Oslo Accords, see below), Article 80 ensures, as Howard Grief writes, that “the UN cannot transfer these rights over any part of Palestine, vested as they are in the Jewish People, to any non-Jewish entity, such as the ‘Palestinian Authority.’ Among the most important of these Jewish rights are those contained in Article 6 of the [League of Nations] Mandate which recognized the right of Jews to immigrate freely to the Land of Israel and to establish settlements thereon, rights which are fully protected by Article 80 of the UN Charter.”¹⁵¹

So, if the law clearly seems to support the legality of such communities, on what basis do anti-Israelists allege otherwise?

The Fourth Geneva Convention

The primary basis for claiming “illegality” can be found in Article 49 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949), especially in its sixth paragraph:

Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.

Nevertheless, the Occupying Power may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand. Such evacuations may not involve the displacement of protected persons outside the bounds of the occupied territory except when for material reasons it is impossible to avoid such

¹⁴⁹ Eugene Rostow, “A False Start in the Middle East,” *Commentary* (October 1989), <https://www.commentary.org/articles/eugene-rostow-2/a-false-start-in-the-middle-east/>. Rostow was previously a Dean of Yale Law School and an Under Secretary of State for Political Affairs.

¹⁵⁰ <https://legal.un.org/repertory/art80.shtml>.

¹⁵¹ Howard Grief, “Article 80 and the U.N. Recognition of a Palestinian State,” *The Algemeiner*, September 22, 2011, <https://www.algemeiner.com/2011/09/22/article-80-and-the-un-recognition-of-a-%E2%80%9Cpalestinian-state%E2%80%9D/>. See also Howard Grief, *The Legal Foundation and Borders of Israel under International Law* (Mazo Publishers, 2008), <https://www.amazon.com/Legal-Foundation-Borders-Israel-International/dp/9657344522>.

displacement. Persons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased.

The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated.

The Protecting Power shall be informed of any transfers and evacuations as soon as they have taken place.

The Occupying Power shall not detain protected persons in an area particularly exposed to the dangers of war unless the security of the population or imperative military reasons so demand.

The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.¹⁵²

However, at the outset, it is important to note that this Convention expressly applies to situations of military “occupation.” If, in accordance with the previous section, one rejects the claim that Judea/Samaria is “occupied” and accepts Israel’s strong claim to sovereignty over these territories, then the Convention doesn’t apply and there is nothing to render the establishment of Jewish communities there illegal.¹⁵³

As simple as that.

Still, although Israel holds that the territories are “disputed” (not “occupied”), it has voluntarily accepted the humanitarian parts of the Geneva Conventions governing military occupations as a guide to how it treats the territories and their residents. For this reason, we will grant the relevance of the Fourth Geneva Convention, while simultaneously showing that there is nothing illegal about Israeli Jewish communities in Judea/Samaria.

Once again, the key point is very simple. Article 49 of the Convention states that it forbids “forcible transfers.” But Jews moved and continue to move to these territories entirely *voluntarily*. They are neither “deported” nor “transferred” against their will. After all, the entire Convention is about the “protection of civilians.” Civilians only need protecting from compulsion, not from their voluntary behaviors. In fact, the one thing that would actually be against the Geneva Convention would be to forcibly *remove* them, as anti-Israelists would like to do. Another term for that aspiration, of course, is *ethnic cleansing*.

¹⁵² https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33_GC-IV-EN.pdf.

¹⁵³ On subsequent anti-Israelist efforts to retroactively declare these communities illegal, see “Source of the Lie” below.

Indeed, the Fourth Convention was drafted with the intent to rule out the kinds of forcible transfers into newly conquered areas that the Nazis had carried out, including both the transfer of Jews to the death camps as well as the transfer of Germans to take over and settle (or “colonize”) the conquered regions. The 1958 International Committee of the Red Cross commentary on Article 49 makes this explicit: “It is intended to prevent a practice adopted during the Second World War by certain powers, which transferred portions of their own population to occupied territory for political and racial reasons or in order, as they claimed, to colonize those territories.”¹⁵⁴

Does this apply to the Jews in Judea/Samaria?

Remember that many of the earlier “settlement” communities—such as Hebron and Gush Etzion—consisted of Jews *returning* to communities they had lived in for centuries before 1948, before they were expelled (“ethnically cleansed”) by Jordan. Indeed, the Hebron Jewish community itself dates back to Biblical times. Imagine referring to Jews voluntarily returning to live there—in some cases literally in their own (or their parents’ or grandparents’) original homes from which they had been forcibly expelled—as “settlers,” or “illegal occupiers”! Not only is this *not* what the Convention is talking about, but it is also a dehumanizing perversion of language that portrays the Jews as not belonging in these places, despite the fact that their forebears had lived there for many centuries or even *millennia*.

Nor does the Fourth Geneva Convention prohibit the movement of individuals to land that was not previously under the legitimate sovereignty of another state and is not subject to private ownership. Once again, neither “Palestine” nor Jordan ever had sovereignty over Judea/Samaria. Moreover, Israeli communities in Judea/Samaria are typically established only after exhaustive investigations, under the supervision of the judicially independent Supreme Court of Israel, in order to ensure that no communities are established on private Arab land. When some communities have been found to have violated this restriction, they have been forcibly vacated.

Finally, an intuitive, non-legal point. Prior to 1948 there were no restrictions on Jews living in Judea/Samaria. Then Jordan illegally occupied the area and forbade Jews from living there. Then Israel liberated the territory from Jordan. If there were no restrictions on Jewish communities prior to 1948, and Jordan’s occupation was illegal and never internationally recognized, and making its authority there illegitimate, then why should there suddenly be restrictions on Jews *after* Israel

¹⁵⁴ <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-49/commentary/1958>.

liberated the area and returned it to its status prior to 1948? The idea, frankly, is absurd.

UN Resolution 242

Another source occasionally invoked to declare Jewish communities illegal is the famous UN Security Council Resolution 242, which was passed in November 1967 after the Six Day War.¹⁵⁵ Anti-Israelists claim that this resolution calls for the “withdrawal of Israel armed forces from territories occupied in the recent conflict,” which they take to indicate that Israel’s continued presence in Judea/Samaria is an illegal occupation and, therefore, that the communities there are themselves illegal.

But, briefly, the resolution indicates no such thing.

First, for the record, the Arabs, including the Palestinian Arabs, *rejected* Resolution 242 at the time because they did not want to recognize Israel in any way. It’s surely a little odd for them to base their claim that Jewish communities are illegal on a resolution that they themselves rejected. More importantly, Israel’s presence in the region does not violate Resolution 242. The operative phrase is the call for withdrawal “from territories,” but the operative *context* is (a) that the word “the” was deliberately omitted before the word “territories” in the official English version of the resolution and (b) that the resolution also calls for the “establishment of a just and lasting peace” in which all nations exist “within secure and recognized boundaries.” All of this meant, as the drafters of the resolution themselves made clear, that they understood that the final “secure” boundaries would deviate from the 1948 Armistice or “Green” Line, that they were to be established by negotiation between the warring parties, and that they were likely to involve Israel permanently keeping some portions of the captured territories. The reason Israel ultimately remained in control of all the territory was that the Arabs, including the Palestinian Arabs, consistently refused offers for peace.

In fact, then, there is nothing in international law that forbids, for growing populations, the economic and residential development of uninhabited portions of disputed territories, particularly when some of those territories are expected to become permanent parts of the controlling state. In short, there is nothing illegal about the “settlements.”

¹⁵⁵ [https://peacemaker.un.org/sites/peacemaker.un.org/files/SCRes242\(1967\).pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/SCRes242(1967).pdf).

Source of the Lie

So how did the “illegal settlements” lie take root, beyond the fact that anti-Israelists will say anything to the detriment of Israel? Precisely because the reigning legal document did not prohibit voluntary Jewish settlement in the ancestral Jewish heartland, anti-Israelists added provisions to international law *after the fact* in order to retroactively render that settlement activity “illegal.” For example, when work began in 1998 on the drafting of the Rome Statute establishing the International Criminal Court (ICC), most delegations wanted to maintain the language of the Fourth Geneva Convention, but the Arab delegations insisted on changing the language to attack Israel by making the occupying power guilty not only if it actively transferred citizens to the occupied territory but also if it did not actively *stop* citizens from going there on their own! Western powers abominably caved to this political hijacking of international law, essentially foisting retroactively on Israel the absurd legal responsibility to keep the ancestral Jewish heartland *Judenrein* in alignment with both Arab and Nazi antisemitic policies. They aimed to make Israel the legal enforcer of its enemies’ aims!

The Rome Statute was crafted in this way precisely because the Geneva Convention does *not* forbid Jewish settlement. In addition, in contravention of all legal precedent and of the principle that “law” should be applied universally and uniformly, it was designed to apply only to Israel. Or, more specifically, only to Israeli *Jews*, because these same actors have no problem when Israeli Arabs move into communities in Judea/Samaria. Because of its clear political motive to condemn only a single country—and indeed only a single ethnic group within that country—Israel and the United States never accepted the Rome Statute. So, even if contemporary law established after the fact for the ICC unfairly renders such Jewish communities illegal, the Court lacks jurisdiction over Israel or that area and its rules simply do not apply.¹⁵⁶

Got all that? Israel’s presence in Judea/Samaria is not actually an occupation, so the Geneva Convention doesn’t apply. But, even if it did, it would not render Jewish communities in Judea/Samaria illegal. Israel’s enemies therefore adopted a targeted “law” to render those communities illegal, but that law also doesn’t apply because the ICC has no jurisdiction over Israel or that area.

But there’s even more.

¹⁵⁶ After Palestine’s accession to the Rome Statute in 2015 and the ICC’s own ruling on the matter in 2021, the Court has decided that its territorial jurisdiction extends to Gaza and the West Bank. Israel has (rightly) rejected this ruling.

Oslo Accords

The 1993 Oslo Accords established the foundation for the application of international law to relations between Israelis and Palestinians. In these agreements, the Palestinians agreed to Israel's complete jurisdiction over Area C of Judea/Samaria, thus allowing Jewish building there. Not only was there no requirement that Israel dismantle communities in Judea/Samaria, but there was also no prohibition on further Israeli building there.¹⁵⁷ This is a legal agreement with the force of international law producing the same conclusion: Jewish communities in Judea/Samaria—at the very least those in Area C, which represent the vast majority if not all—are perfectly legal.

Israeli Jewish communities in this region never were, and are simply not, illegal.

Practical Matters

After 1967, Israel tried to return territories in exchange for peace and was repeatedly rebuffed, starting with the Arabs' famous "Three Noes of Khartoum": no peace, no recognition, no negotiation.¹⁵⁸ What exactly was Israel supposed to do with the territories under those circumstances, when its enemies not only refused to take back territory but even refused to talk to it? Wait forever—even as Israel's population was swelling with the arrival of 800,000 Jewish refugees expelled from those same Arab countries?

Even so, the "settlement" enterprise began slowly, starting with the reclamation of Jewish communities from which Jews had been expelled in 1948 or earlier. As the years went by and the Arabs continued to refuse to negotiate, the communities grew slowly, both in number and in population—and, again, why not? The Arabs were clearly not that eager to reclaim the territory, the Israeli population was growing, Judea/Samaria *was* the Jewish Biblical heartland, and there was nothing illegal about the building activity. If Jewish communities in these territories were such an abomination to the Arabs, they could have made peace many times along the way, for example in the framework of the peace offers of 2000 and 2008, and put a permanent stop to all Jewish building.

Some people claim that the Jewish communities are an "obstacle to peace," by which they presumably mean a "two-state solution" in which (most of) Judea/Samaria would become part of an independent "Palestine." But why exactly

¹⁵⁷ <https://www.gov.il/en/pages/israeli-settlement-and-international-law>.

¹⁵⁸ https://en.wikipedia.org/wiki/Khartoum_Resolution.

are these communities an “obstacle” to this? Had the Arabs or Palestinians accepted any number of proffered peace deals earlier, going back to the 1937 Peel Commission partition proposal and certainly to the 1947 UN partition proposal, there would have been hardly any Jewish residents in Judea/Samaria. It was arguably the Arabs’ refusal to make peace that was the “obstacle” to peace! But even now, almost 60 years after 1967, when the Israeli Jewish communities are much larger, ask yourself this: if nearly 22% of Israel’s population consists of an Arab minority, why can’t some 22% of the population of a future “Palestine,” presumably in Judea/Samaria and Gaza, consist of a Jewish minority? Why should Arabs be allowed to live in the Jewish state but no Jews be allowed to live in the Arab state? Why aren’t Arabs in Israel regarded as an “obstacle” to peace if Jews in a future “Palestine” are?

Incidentally, the proposed Arab state in the original UN partition proposal also had a massive Arab majority (98%), while the proposed Jewish state only barely had a Jewish one (57%)—yet the Jews accepted the plan while the Arabs rejected it. If the Jews were willing to accept a mere 57% majority, why should Arabs be entitled to demand, as they do when they condemn the Jewish communities as “obstacles to peace,” a 100% majority—in other words a state that is *Judenrein*? Under ordinary universal norms, a country that announced that it would tolerate only 0% of a specific minority would be deemed racist. If the United States or the United Kingdom proclaimed they would tolerate exactly zero Muslims, or Blacks, there would be outrage at the racism. Yet where is this outrage when the Palestinians insist their future country must be free of Jews?

The Reverse

Once again, the truth is ultimately the reverse of what the lie alleges.

Let’s start with a line of thought developed by the anonymous blogger Elder of Zion.¹⁵⁹ Consider this quote from the *Encyclopedia of Human Rights*, Volume 1: “Most observers recognized that any solution would have to balance the overall legality of the settlement program against the human rights of the settlers.”¹⁶⁰ Though this may sound surprising, it shouldn’t: every human being has “human rights” by definition, no matter where they live (and whether or not they are “illegal settlers” or “refugees”). Apart from cases where security conditions might require it, human rights law and the Geneva Conventions are firmly opposed to forcing people

¹⁵⁹ <https://elderofzion.blogspot.com/2017/09/the-only-people-in-world-without-human.html>.

¹⁶⁰ <https://books.google.co.uk/books?id=1QbX90fmCVUC&q=Most+observers+recognized+that+any+solution+would+have+to+balance+the+overall+legality#v=snippet&q=Most%20observers%20recognized%20that%20any%20solution%20would%20have%20to%20balance%20the%20overall%20legality&f=false>.

to move against their will, and in most cases forcible transfer, such as the removal of Jewish residents from Judea/Samaria, as demanded by anti-Israelists, is considered a grave war crime.

However, it is interesting to note that the above quote is not talking about Jewish “settlers” in their ancestral homelands. Instead, it is talking about Turkish settlers in Northern Cyprus. Turkey invaded and conquered northern Cyprus in 1974 and remains an “occupier” to this day. As a result of the Turkish military invasion and occupation, some 162,000 Greek-Cypriots fled their homes and became refugees in their own country, prevented by Turkish forces from ever returning to their homes and property.¹⁶¹ Furthermore, in order to change the demographic profile of the region, Turkey “transferred” 160,000 of its own settlers into the region—and it is those settlers whose “human rights” are being defended in the *Encyclopedia of Human Rights* above!

In the thousands of articles that have been written about Israeli “settlements” and international law, you will likely find *not one word* about the human rights of Jewish “settlers.” But international law is clear: the forcible transfer of a civilian population is a crime, *regardless of the circumstances* (with the exception of compelling security concerns). The Wikipedia entry on “Population transfer” summarizes the issue as follows:

There is now little debate about the general legal status of involuntary population transfers: “Where population transfers used to be accepted as a means to settle ethnic conflict, today, forced population transfers are considered violations of international law.” No legal distinction is made between one-way and two-way transfers since the rights of each individual are regarded as independent of the experience of others.

Article 49 of the Fourth Geneva Convention ... prohibits mass movement of protected persons out of or into territory under belligerent military occupation: “Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive...”¹⁶²

It continues:

¹⁶¹ <https://mfa.gov.cy/turkish-military-invasion-and-occupation.html>.

¹⁶² https://en.wikipedia.org/wiki/Population_transfer.

“Deportation or forcible transfer of population” is defined as a [crime against humanity](#) by the [Rome Statute of the International Criminal Court](#) (Article 7).¹⁶³

There are no exceptions to these principles in international law on account of why a population is where it is. So it’s not merely that the Fourth Geneva Convention and international law do not classify Jewish communities in Judea/Samaria as illegal; on the contrary, they classify *the act of forcibly removing such communities*, even if they *are* illegal, as a “crime against humanity.”

This is just one more piece of evidence of the antisemitism that motivates many who cite “human rights” and “international law” when condemning almost everything Israel does. No one is calling for the dismantling of Turkish settlements in Northern Cyprus or Moroccan settlements in Western Sahara or Russian settlements in Crimea and the forcible removal of civilians in those and similar places. This includes scores of legal scholars who openly demand (or have not said a word against) the forcible removal of Jewish residents from Judea/Samaria. Only Jews must be removed. Only in their case, *exceptions to international law* are portrayed as if they were *applications of international law*.

There’s a second way that the truth is the reverse of what this particular lie suggests.

In fact, the Palestinians have engaged in massive building in Area C of Judea/Samaria, openly violating the Oslo Accords according to which they have no legal right to build there, thereby violating international law. Worse still, much of this building is funded by the European Union, which served as an official witness and guarantor of the Oslo Accords that it is itself currently violating.¹⁶⁴ The only truly illegal settlements in Judea/Samaria, then, are the *Palestinian* ones in Area C.

With stunning additional arrogance, the EU even demands compensation when Israel demolishes structures that have been illegally built with EU funding in violation of the international agreement for which the EU itself stands as witness and guarantor!¹⁶⁵

¹⁶³ https://en.wikipedia.org/wiki/Population_transfer.

¹⁶⁴ https://www.timesofisrael.com/liveblog_entry/ngo-says-eu-violating-its-oslo-obligations/.

¹⁶⁵ <https://elderofziyon.blogspot.com/2023/01/the-eu-redefines-chutzpah-demands.html>. For more details on the scandalous role of the EU, see also <https://elderofziyon.blogspot.com/2015/02/the-eu-is-building-illegal-settlements.html>, <https://elderofziyon.blogspot.com/2020/02/eu-pledges-6-million-more-for.html>, and <https://elderofziyon.blogspot.com/2024/01/the-eu-throws-millions-more-at-area-c.html>.

Thus the Truth: Jewish communities in Judea/Samaria are not “illegal,” despite efforts to twist international law to make them so. The main document that is cited to classify them as illegal, the Fourth Geneva Convention, does not actually apply in this situation, but even if it did it simply does not forbid them. What would actually be illegal would be to forcibly remove those communities, while the Palestinians are the only ones that are actually building illegally, with the support of the European Union, in Area C.

Some resources

Eugene W. Rostow, “Articles on Israeli Settlements,” <http://maurice-ostroff.tripod.com/id45.html>.

Julius Stone, “International Law and the Arab-Israel Conflict,” 2003, https://www.strateias.org/international_law.pdf.

<https://www.gov.il/en/Departments/General/israeli-settlement-and-international-law>

<https://jcpa.org/settlements/>

https://www.law.gmu.edu/news/2019/israeli_settlements_do_not_violate_international_law_according_to_eugene_kontorovich

Big Lies #8 and #9:

Palestinians who remained in Israel (and their descendants) are kept subjugated under “apartheid,” a political system that reflects and maintains “Jewish supremacy.”

“Apartheid” refers to the legal system adopted by South Africa in 1948 to ensure various forms of separation of racial groups, with the small minority white population enjoying a variety of privileges while the large majority of people of color were discriminated against, with the two populations literally being kept apart as much as possible, even within the same country. That racist abomination of a system was rightfully abolished under global pressure in 1990.

The claim that Israel is an “apartheid” state that discriminates against Palestinian Arabs has been all over campuses for many years and continues to spread, primarily thanks to the efforts of campus chapters of Students for Justice in Palestine (SJP). Shockingly, these groups are allowed to host annual “Israel Apartheid Weeks” on many campuses, supplementing their year-round anti-Israel activism with a full week dedicated to lectures, movies, demonstrations, and other activities. These activities often include the construction of “Apartheid Walls” that are meant to symbolize the security barrier that Israel built to counter fatal terrorist attacks during the Second Intifada and feature many of the lies discussed in this essay. “Apartheid Weeks” are often accompanied or followed by campaigns to pass some form of Boycott, Divestment, and Sanctions (BDS) resolution within the student government or in an all-campus referendum.

Ironically, the apartheid lie can be traced back at least to the United Nations’ 2001 World Conference against Racism in Durban, South Africa, where it was adopted as an explicit strategy to attack Zionism and Israel. More recently, it received a major boost when several NGOs, all with a long history of smearing Israel, began producing reports “proving” the allegation, including the largely European-funded Israeli NGO B’Tselem¹⁶⁶ in 2021 and the anti-Israel NGOs Human Rights Watch¹⁶⁷ and Amnesty International¹⁶⁸ in 2021 and 2022 respectively. These reports are now obviously widely cited as “evidence” during SJP’s anti-Israel “Apartheid Weeks.”

¹⁶⁶ https://www.btselem.org/publications/fulltext/202101_this_is_apartheid.

¹⁶⁷ <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>.

¹⁶⁸ <https://www.amnesty.org/en/latest/campaigns/2022/02/israels-system-of-apartheid/>.

Here are some examples of “Apartheid Walls”:

Figure 21: Apartheid Wall at Harvard¹⁶⁹



Figure 22: Apartheid Wall at Columbia¹⁷⁰



Figure 23: Apartheid Wall at Princeton¹⁷¹



169 <https://www.thecrimson.com/article/2022/4/22/israel-apartheid-week-2022/>.

170 <https://www.wsj.com/articles/march-madness-the-anti-semite-bracket-1458772097>.

171 <https://paw.princeton.edu/article/short-51>.

Surely not coincidentally, the “Jewish supremacy” smear arose and started gaining traction around the time of the publication of these reports in 2021. I first saw it in the numerous open letters signed by academics from many different disciplines condemning Israel for its actions in the war started by Hamas in early 2021. The following excerpt, for example, is from a letter that was signed by *tens of thousands* of academics around the world and was then used as a basis for more localized letters from local groups:

Palestine and Praxis: Open Letter and Call to Action

As scholars, we affirm the Palestinian struggle as an indigenous liberation movement confronting a settler colonial state. The pitched battle in Sheikh Jarrah is the most recent flashpoint in the ongoing Nakba that is the Palestinian condition. Israel has expanded and entrenched its settler sovereignty through warfare, expulsion, tenuous residency rights, and discriminatory planning policies. The ostensible peace process has perpetuated its land grabs and violent displacement under the fictions of temporality and military necessity. Together these policies constitute apartheid, bolstered by a brute force that enshrines territorial theft and the racial supremacy of Jewish-Zionist nationals. And now, as has been the case for over a century, Palestinians continue to resist their removal and erasure.¹⁷²

Note the reference to Israeli “apartheid” as a policy that enshrines “the racial supremacy of Jewish-Zionist nationals.” (Oddly, this phrasing suggests that Israel somehow enshrines the “racial supremacy” only of Jewish Zionists but not of Jewish anti-Zionists, despite their all being of the same “race.” In addition, it treats Jews as all being of the same “race” despite the wide panoply of skin tones that characterize the Jewish people. Just some of many things wrong with this and similar documents.)

As for more local letters, here is an excerpt from one signed by many faculty at Franklin & Marshall College:

We stand by Human Rights Watch and the Israeli human rights organization B’tselem in calling Israel’s systemic discrimination and violence by its proper name: Apartheid. The brutal system that controls Israel and the Occupied Palestinian Territories is ideologically founded upon Jewish supremacy, rules over the lives of Arab and Jewish citizens of Israel alike, and is practically committed to territorial theft from Palestinians who continue to resist physical removal and existential erasure.¹⁷³

¹⁷² <https://palestineandpraxis.weebly.com/>.

¹⁷³ <https://amchainitiative.org/wp-content/uploads/2021/07/Franklin-and-Marshall-College-Academic-Boycott-Petition-2021.pdf>.

Not to be left out, and in a sign of just how deep the malevolence goes, a similar letter was signed by hundreds of “Scholars of Jewish Studies and Israel Studies.” Once you make it through the thick prose, you might start to wonder why people would devote their professional careers to studying a minority group and a country that they apparently hate so much. Here’s an excerpt:

We also acknowledge that the Zionist movement, a diverse set of linked ethnonationalist ideologies, also was and is still shaped by settler colonial paradigms that saw land settlement as a virtuous means of solving political, economic, or cultural problems, as well as modern European Enlightenment discourses that assumed a hierarchy of civilizations and adopted the premise that technological progress and development of an “underdeveloped” territory would be an unqualified good. These paradigms, as implemented by the Zionist movement and the state of Israel in twentieth-century Palestine, have brought real benefit to many Jews, but they have also contributed to unjust, enduring, and unsustainable systems of Jewish supremacy, ethnonational segregation, discrimination, and violence against Palestinians that have been forcefully condemned, including by Jews, Israeli citizens, and Israeli human rights groups such as B’Tselem.¹⁷⁴

Make no mistake: the choice of the term “Jewish supremacy” is very much intentional. In today’s cultural moment, with the dominance of progressivism across so many campuses, there is no worse or bigger sin, no bigger enemy or target, than “white supremacy.” Progressivism already assimilates Jews into the category of white supremacists. Although *actual* white supremacists hate Jews for *not* being white, progressives basically hate them for being *too* white—but it’s an extra twist to hit them with the label of “Jewish supremacists.” Doing so clearly dehumanizes them into the epitome of purely evil actors, on a par with the Nazi white supremacists, who deserve nothing less than elimination.

“Jewish Supremacy”

The “Jewish supremacy” lie is both offensive and absurd, so I’ll be brief.

Firstly, has there ever been a more self-critical people than the Jewish people? A people whose scripture documents their flaws and failures and the many imperfections of their leaders, whose Talmud enshrines respect for the kind of disagreement that encourages diversity of opinion, dissent, and divisiveness (all of

¹⁷⁴ https://israelpalestinejs.weebly.com/?fbclid=IwAR06-4X0M74cXo6CeL7K51IL3zJYGLJ25ptiBf4yM3MI245i_V9o-aQGUdA.

which are unlikely to produce any sense of “supremacy”), and who follow a religion that *doesn’t* seek to conquer or convert the world and values concern for the widow, the orphan, and the stranger?¹⁷⁵

Secondly, this trope reflects Nazi-level, *Protocols of the Elders of Zion*-style, conspiracy-based antisemitism, which ought to immediately call into question anything the user of this trope says about Israel or the Jews.¹⁷⁶ After all, anything a conspiracy theorist believes is *ipso facto* corrupted by the conspiracy theory, and all the more so when it is driven specifically by Jew-hatred.

Finally, it is important to note that the truly obscene aspect of lies #8 and #9 is that they transform Israel, which was founded as a safe haven for the most persecuted and mistreated minority on earth, into a genocide-legitimizing expression of “Jewish supremacy.” They also deliberately misrepresent the security measures that Israel takes to defend its citizens—both Jewish and non-Jewish—from the near-relentless homicidal attacks of Palestinian terrorists as “apartheid” measures reflecting “Jewish supremacy.” Consider the security barrier, which in fact consists almost entirely of fences. Although it was erected to deter suicide bombings during the Second Intifada and has successfully saved countless lives, it is transformed into an “Apartheid Wall” in the minds and rhetoric of the anti-Israelists. Apparently the desire not to be murdered indicates that you believe that you are superior to your murderer.

That is where we are today.

“Apartheid”

Since there is not enough space here to carry out an in-depth debunking of any—much less all—of the aforementioned “apartheid” reports, we’ll instead provide a brief survey of some key responses to this pernicious and false accusation.¹⁷⁷

A few preliminary observations are in order.

(1) It’s important to distinguish “Israel” inside the Green Line from the “disputed territories” of Judea/Samaria. Those represent very different overall situations in terms of demographics, security, and other matters, and one would expect different policies and practices between them, not least because the latter contain a few

¹⁷⁵ For an example of “supremacy,” see the founding charter of Hamas, which opens with a scriptural quote openly proclaiming the supremacy of Islam. The document itself also repeatedly refers to Islam’s necessary dominance in the world. See https://avalon.law.yale.edu/20th_century/hamas.asp.

¹⁷⁶ For some analysis of how Israel’s enemies project their own bigotry onto the Jews, see <https://rlandes.substack.com/p/baseless-murderous-hatred>.

¹⁷⁷ More detailed resources are provided at the end of this essay.

million non-Israeli citizens. If you want to judge the alleged intrinsic “racism” or “supremacy” of Israel’s policies, you should start with Israel within Green Line. It is there that one can most clearly see Israel’s actual values and aspirations. The complications of Judea/Samaria distort the view because of necessary security considerations and other factors.

(2) It is also essential to distinguish “citizens of Israel” (nearly 22% of whom are Arabs) from non-citizens, i.e. the Palestinians in Judea/Samaria. It is generally not acceptable for a country to formally differentiate between its citizens, privileging one group while discriminating against another. However, it is a universal norm followed by literally every country in the world that governments treat their citizens in a different, more preferential manner than they treat non-citizens. Moreover, it is important to point out that, in direct contrast to every one of the Arab and Muslim countries engaged in conflict with Israel, Israel’s core legal principles, such as its “Basic Laws,” enshrine the principle of equality before the law for all its citizens.

That fact alone refutes the heart of the apartheid lie.

Pushing this comparative point further, it is worth considering the fact that, despite ongoing threats and attacks of a kind faced by no other country, including relentless terrorism against its civilians from the 1920s right up until today, Israel has built a flourishing democracy that enshrines the civil and legal equality of its many minorities, including its Arab minority, despite the occasional acts of terror and incitement committed by its members. Israel is far from perfect: like other countries it is not free of discrimination and inequality. It is also a Jewish country and is meant to serve as a safe haven for Jews. This creates tensions and perhaps some inequalities for its minorities, but *every* country has a majority population group or culture that creates similar tensions for its minorities. And yet despite being surrounded by genocidal enemies and dealing with terrorism, and despite its role as a Jewish safe haven, Israel manages to be a country where its sometimes hostile Arab minority has more rights and freedoms than Arab citizens have in most *Arab* countries.

This bears repeating: Arabs in Israel have more rights and freedoms than they have in most Arab countries.

As David Collier has put it, “In Israel a Jewish person can be arrested by an Arab policeman, taught by an Arab professor, serve in the army under an Arab superior officer, be operated on by an Arab surgeon, and sentenced by an Arab judge.”¹⁷⁸ The “apartheid” allegations aren’t merely false: they are *obscene*.

¹⁷⁸ <https://x.com/mishtal/status/1800818568935743973>.

Israel also manages to be a country where its own citizens can freely and openly criticize the government and society, even tagging them with such inflammatory labels as “apartheid” and “Jewish supremacy” if that’s how they feel.

Compare all this to literally every single one of Israel’s hostile neighbors. Not a democracy among them, they offer neither freedoms nor basic human rights to their citizens, deny equality to their minorities (look up how Palestinians are treated in Lebanon and Syria!), crucify gay people (Yemen)¹⁷⁹ or hang them from cranes (Iran),¹⁸⁰ and certainly grant no rights to their Jews—because they already ethnically cleansed them long ago, as discussed above. Compare Israel to the Palestinian Authority, which forbids land sales to Jews, restricts Jews from accessing holy sites, and operates a “pay to slay” program that financially rewards individuals who murder Jews. Or compare it to Hamas, whose founding charter openly calls for the genocide of the Jews and justifies it based on the same *Protocols* that motivated the Nazis.¹⁸¹ If you’re looking for *actual* apartheid—legally enforced separation, along with even worse violence—then you don’t need to look much further than in the expulsion, restriction of mobility, subsidized murder, and wholesale genocide supported and perpetrated by nearly every single one of Israel’s neighbors and enemies against Jews.

Again, this doesn’t mean that there isn’t *de facto* racial discrimination in Israel or that there aren’t actual racists within its population. There isn’t a country in the world that is free of these issues, including the Palestinian territories and society. If the mere existence of racial discrimination were sufficient to prove the existence of “apartheid,” then every country in the world would be an apartheid state, starting with the United States, which has been facing its own racial reckoning in recent years. But that would be to make a mockery of the very concept of “apartheid.”

In fact, to accuse Israel alone of apartheid on the basis of alleged racial discrimination is to apply an egregious double standard that is indisputably antisemitic—in practice if not in intent.

(3) However imperfect Israel may be, it is literally the *only country* in the Middle East where Jews, Arabs, and Muslims coexist, work together, shop in the same stores, visit the same beaches, live in the same neighborhoods or cities, and so on. There is no significant Jewish presence in any other Middle East countries. This fact alone refutes the heart of the apartheid lie. It also shows, as we’ll see, that it is once again the reverse of the lie that is true. Indeed, those who seek to expel the Jewish

¹⁷⁹ <https://www.hrw.org/news/2024/03/27/yemen-houthis-sentence-men-death-flogging>.

¹⁸⁰ <https://www.google.com/search?client=firefox-b-1-d&q=iran+publicly+hanging+gays>.

¹⁸¹ https://avalon.law.yale.edu/20th_century/hamas.asp.

residents of Judea/Samaria are themselves promoting an apartheid policy against the Jews—which they do based on the paradoxical claim that the Jews are guilty of apartheid by desiring to live in the same region as the Arabs!

Let us, finally, be very clear on the strategy pursued by the anti-Israelists.

The apartheid accusation is not just false, as we'll see, but also antisemitic. To be specific, apartheid is an international crime defined by the 2002 Rome Statute establishing the International Criminal Court as “inhumane acts committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups, and committed with the intention of maintaining that regime.”¹⁸² These “acts” include such things as “widespread” murder and enslavement, charges even too absurd for anti-Israelists to level at Israel. Yet despite the immense persecution of and discrimination against all kinds of racial, ethnic, and religious minorities in numerous other countries around the world—including in Lebanon and Syria against the Palestinians who live there—the “apartheid” slur is never invoked against any country other than Israel.

By singling out the Jewish state of Israel and holding it to standards that are not applied to any other country, anti-Israelists charge Israel with the most heinous “crimes against humanity.” In doing so, they dehumanize Israelis as purely evil, malevolent actors and delegitimize the Jewish state as a whole. The point, in other words, is not to reform or improve Israel’s policies, or even to advocate on behalf of Palestinians: it’s to pave the way for the elimination of the Jewish state altogether. Accusing it of “apartheid” and “Jewish supremacy” amounts to marking it out for elimination.

That is what all these Big Lies do.

Let’s now turn to refuting the lie.

Refuting the Lie

Firstly, in general, it is worth noting that the defining quality of apartheid is *apartness*, that is, the legally instituted physical separation of people based on identity categories. Israeli law makes no such distinctions between people, applying equally to all Israeli citizens. Even in Judea/Samaria Israelis and Palestinians often work in the same companies, shop in the same stores, and visit the same restaurants. And of course Israeli Arabs sit on Israel’s Supreme Court, serve as

¹⁸² https://en.wikipedia.org/wiki/Crime_of_apartheid.

doctors and pharmacists and administrators in hospitals, serve in the military, work as professors and heads of academic departments at universities, have their own political parties that have served in the government, and so on.

Secondly, anti-Israelists sometimes critique the establishment of Palestinian governance over Areas A and B under the Oslo Accords as being comparable to the Black “Bantustans” created by the South African government during the apartheid era. These “homelands” enabled the dominant White government to marginalize the country’s Black inhabitants as part of its policy of apartheid. But of course there’s a major difference between the two cases. The Palestinian government was created by the Palestinians themselves and is internationally recognized as such by nearly all the countries in the world. It also directly governs some 95% of the Palestinian population in Judea/Samaria, based on its own laws, which also enjoy international legitimacy.

This is important because many of the apartheid allegations are based on the fact that different laws apply to Israelis and Palestinians in the disputed territories. But there’s an obvious reason why this is so: *the two peoples are governed by different governments under different laws*. Arab citizens living in the Palestinian Authority and the Gaza Strip are governed by the Palestinian Authority and Hamas respectively, while Israeli citizens are governed by the State of Israel. The anti-Israelist treats Judea/Samaria as if it were a single unit and emphasizes the legal differences between Israelis and Palestinians. However, under the Oslo Accords, Judea/Samaria is not a single unit but is divided into areas of Palestinian and Israeli sovereignty. If that is apartheid then the Oslo Accords are guilty of apartheid, which is absurd. Palestinians and Israelis are governed by different laws because every country in the world distinguishes between citizens, who subject to its laws, and non-citizens, who are not. If that is apartheid, again, then every country in the world is guilty of it.

With those remarks in mind, let’s now turn to some representative criticisms of each of the major anti-Israel NGOs’ apartheid-alleging reports.

B’Tselem

We begin with B’Tselem’s report, which is entitled: “This is Apartheid: A Regime of Jewish Supremacy from the Jordan River to the Mediterranean Sea.”¹⁸³ This Israel-based NGO considers itself “independent and non-partisan,”¹⁸⁴ although it is hard to see how it is either. It was founded and is run by very left-wing individuals, and

¹⁸³ https://www.btselem.org/publications/fulltext/202101_this_is_apartheid.

¹⁸⁴ https://www.btselem.org/about_btselem.

receives substantial funding, perhaps as much as half of its total funding, from foreign countries interested in undermining Israel.¹⁸⁵ Concluding that Israel is guilty of “apartheid” obviously advances that agenda.¹⁸⁶

B’Tselem complains, for example, about Israel’s “Law of Return,” which in essence enables any foreign Jew to immigrate to Israel and become a citizen.¹⁸⁷ The complaint is that immigration is therefore far easier for Jews than it is, for example, for Palestinians. One might reinforce this complaint, as anti-Israelists do, by stating that “it’s easier for a Jew who has no family roots in Israel to move there than for a Palestinian to return to the land where his forebears had lived for generations.”

The obvious response to this is that, if a country’s decision to establish an immigration system favoring its own national group constitutes apartheid, then many other countries around the world are also guilty of apartheid, including most European countries and perhaps every Arab country. Armenia, Ireland, and Japan, for example, all have immigration systems that favor their own majority ethnicities. Moreover, the reinforced complaint that foreign Jews allegedly have an advantage over native Palestinians is clearly based on false premises: Jews *can* trace their heritage back to the Land of Israel despite two millennia of exile, while many Palestinians are actually very recent immigrants to the land. Of course, it would be wonderful if Palestinians who currently consider themselves to be “in exile” were able to “return” to the land of their forebears (on the assumption that those forebears had indeed lived in “Palestine” for generations). It would also be wonderful for the 800,000 Jewish refugees who were expelled from the Middle East and North Africa to never have been uprooted either, along with the tens of millions of other former refugees from the many conflicts of the past century. Regrettably, all this would require a whole new alternate history in which most of the events of the last 100 years simply hadn’t happened.

We must also remember why Israel has a Law of Return, and just why this law is both necessary and morally just. The long history of global antisemitism, culminating in the Holocaust, morally mandates the establishment of a safe haven for perhaps the most persecuted people in history. In terms of justice, it is the barest minimum for the Jewish people to have a state of their own to ensure the safety of Jews everywhere, without having to rely on the so-called goodwill of any Christian and Muslim overlords. Needless to say, there are 20-plus Arab countries and 50-plus Muslim majority countries where Arabs and Muslims can find their own

¹⁸⁵ https://www.ngo-monitor.org/ngos/b_tselem/.

¹⁸⁶ Some of the following arguments are inspired by Elder of Ziyon, for example here: <https://elderofziyon.blogspot.com/2021/01/btselems-absurd-contradictory-arguments.html>.

¹⁸⁷ <https://www.jewishvirtuallibrary.org/israel-s-law-of-return>.

safe havens, not to mention 150-plus Christian majority countries and territories. The Jews only have a small sliver of land to call home. So even if the Law of Return were construed as “privileging” Jews over Arabs, that “injustice” is more than outweighed by the moral necessity of having a Jewish state in the first place.

B’Tselem also complains about restrictions on Palestinians’ freedom of movement. Yet it contradicts itself by acknowledging that “Israel allows its Jewish and Palestinian citizens and residents to travel freely through the area,”¹⁸⁸ which itself undermines the apartheid charge since it shows that all Israeli citizens are treated equally. If Palestinian “residents” are treated differently it’s because they are not citizens. Throughout Judea/Samaria there are some differences, not least the fact that Israeli citizens can freely cross the Green Line into Israel in a way that Palestinians cannot, but that difference is due neither to race nor to ethnicity but to citizenship—and every country permits its citizens freer access to the country than non-citizens. There are of course other temporary restrictions on movements, such as checkpoints, but these are established for security reasons. They tend to multiply when there is a rise in terrorist violence, and to decrease when this violence subsides. One may not like security measures, but every country protects its citizens from the violence directed against them—and protecting oneself from violence does not amount to apartheid, particularly when it’s done via temporary measures that decrease when the threat recedes.

B’Tselem complains that Palestinians are denied the “right to political participation” in the same way that Blacks were denied participation under apartheid. But it then goes on to contradict itself again by admitting that “Palestinian citizens of Israel can take political action to further their interests, including voting and running for office. They can elect representatives, establish parties or join existing ones.”¹⁸⁹ Indeed, since Israel’s non-Jewish citizens have all the same civil and political rights as its Jewish citizens, it’s hardly surprising that they can pursue full political participation, if they wish. That obviously is the opposite of apartheid.

To try to make the apartheid claim stick, B’Tselem then contorts itself into the bizarre position that non-Israeli Palestinians in Judea/Samaria should have a say in Israel elections because Israeli elections—and Israeli laws—obviously impact them. But the elections and laws of every country obviously have a certain impact on people living nearby and elsewhere, so this criterion would make every country guilty of apartheid. Moreover, Palestinian laws (and elections—if they were actually held) directly impact Israelis, but B’Tselem doesn’t label the Palestinian government

¹⁸⁸ https://www.btselem.org/publications/fulltext/202101_this_is_apartheid.

¹⁸⁹ *Ibid.*

an apartheid one. In this context, it is worth recalling that there are Palestinian laws that proscribe the sale of land to Jews and reward homicidal terrorism against Israeli Jews through the aforementioned “pay to slay” program. If those don’t count as “having an impact on Jews,” it’s hard to imagine what would. Yet B’Tselem doesn’t seem concerned that Israelis should have some say in Palestinian elections.

Of course, Israelis don’t and shouldn’t vote in Palestinian elections, just as Palestinians don’t and shouldn’t vote in Israeli elections, because under the Oslo Accords they are citizens of different governing entities.

Human Rights Watch

Let’s now turn to the Human Rights Watch (HRW) report, which is entitled, “A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution.”¹⁹⁰ HRW is a very large and influential organization, with a history of doing important international human rights work. It describes itself today in these terms:

Human Rights Watch investigates and reports on abuses happening in all corners of the world. We are roughly 550-plus people of 70-plus nationalities who are country experts, lawyers, journalists, and others who work to protect the most at risk, from vulnerable minorities and civilians in wartime, to refugees and children in need. We direct our advocacy towards governments, armed groups and businesses, pushing them to change or enforce their laws, policies and practices. To ensure our independence, we refuse government funding and carefully review all donations to ensure that they are consistent with our policies, mission, and values.¹⁹¹

In fact, it isn’t clear at all that HRW refuses “government funding,” and it actually receives support from many anti-Israel foundations and Middle Eastern sources, including Qatar.¹⁹² Indeed, the organization’s founder and former longtime director has actually condemned it for betraying its universalist ambitions by engaging in systematic anti-Israel hostility.¹⁹³ This hostility clearly biases its work on—or rather obsession with—Israel, as its “apartheid” report is particularly dishonest.¹⁹⁴

¹⁹⁰ https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution#_ftn63.

¹⁹¹ <https://www.hrw.org/about/about-us>.

¹⁹² https://www.ngo-monitor.org/ngos/human_rights_watch_hrw/.

¹⁹³ <https://www.timesofisrael.com/human-rights-watch-founder-jewish-publisher-robert-bernstein-dies-at-96/>.

¹⁹⁴ Much of what follows is inspired by Elder of Zion’s work. For an example, see <https://elderofzion.blogspot.com/2021/10/the-paragraph-of-international.html>.

All the relevant definitions of apartheid use specific language that classify it as a crime of “racial” discrimination. For example, the “International Convention on the Suppression and Punishment of the Crime of Apartheid” states:

For the purpose of the present Convention, the term “the crime of Apartheid,” which shall include similar policies and practices of *racial* segregation and discrimination as practiced in southern Africa, shall apply to the following inhuman acts committed for the purpose of establishing and maintaining domination by one *racial* group of persons over any other *racial* group of persons and systematically oppressing them [emphasis added].¹⁹⁵

It then goes on to give many examples, always using the term “racial group.” The above-mentioned Rome Statute similarly defines apartheid as involving “domination by one *racial* group over any other *racial* group or groups” [emphasis added].

Now, Israeli Jews and Palestinians are not distinct “racial groups.” Israeli Jews reflect a whole panoply of different races and ethnicities, running the gamut from very light skinned to very dark. The same is true of Palestinians. In fact, it is often hard to distinguish an Israeli Jew from a Palestinian Arab by physical criteria alone. So whatever is being done by the State of Israel, it is not “segregation and discrimination” on the basis of “racial groups.”

Since HRW can’t label Israel “apartheid” on the basis of the *actual* legal definition of apartheid, its report instead claims that “racial group” doesn't really *mean* racial group. There is no support for this claim in the above-mentioned source materials, which clearly considered the definition of “racial group” to be obvious enough that it did not need to be defined. So, since the most relevant conventions don’t actually define the term, HRW has instead taken its definition from a completely different convention.

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which was adopted in 1965 and came into force in 1969, defines “racial discrimination” as “any distinction, exclusion, restriction or preference based on race, color, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political,

¹⁹⁵ https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.10_International%20Convention%20on%20the%20Suppression%20and%20Punishment%20of%20the%20Crime%20of%20Apartheid.pdf.

economic, social, cultural or any other field of public life.”¹⁹⁶ The Committee on the Elimination of All Forms of Racial Discrimination (CERD), the UN body charged with monitoring the implementation of ICERD, has consistently found that members of racial and ethnic groups, as well as groups defined based on descent or their national origin, face “racial” discrimination. Rather than relying on standard definitions of race, HRW uses this broader definition.

Now, this move on its own is perfectly reasonable. In fighting discrimination we generally care about many forms thereof, and perhaps do use the phrase “racial discrimination” more broadly to include other forms of discrimination based on national or ethnic origin. But here’s the key piece of deception. HRW deliberately quotes from an esteemed source such as ICERD in order to expand its definition of “racial discrimination” in support of the allegation that Israel is an apartheid state guilty of “racial discrimination.” But HRW very conveniently leaves out the *very next paragraph* of that very same convention, which (inconveniently) states: “This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention *between citizens and non-citizens* [emphasis added].”¹⁹⁷

So, even if we were to grant that Israel engages in serious discrimination against the Palestinians of Judea/Samaria—which we do not—this one paragraph *completely undermines* HRW’s apartheid argument. Israeli laws do not distinguish between Israeli Jewish citizens and Israeli Arab citizens. They distinguish between citizens and non-citizens, just like the laws of every other nation on Earth. It is not apartheid to do so, as ICERD, which HRW cites as an authority, explicitly states. However, HRW knowingly and deliberately obscures this fact by omitting reference to the paragraph that undermines its allegations.

In their deceptive efforts to prove their case, HRW and other anti-Israel NGOs further base their “apartheid” arguments on the fact that Jewish “settlers” in the territories are governed by different laws than their Arab neighbors. Here they treat Judea/Samaria as a single political unit, arguing that two different sets of laws apply to two different sets of people within this unit, despite the fact that under the Oslo Accords the territory is governed by two distinct entities governing two distinct sets of citizens. As we saw with B’Tselem, HRW also claims that Israeli “policies include limiting the population and political power of Palestinians, granting the right to vote only to Palestinians who live within the borders of Israel as they existed from 1948

¹⁹⁶ <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>.

¹⁹⁷ <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>.

to June 1967.”¹⁹⁸ Here HRW treats all Palestinian Arabs (Israelis and non-Israelis) as a single political unit—suggesting that it’s somehow wrong that different laws apply to the two groups—even though they are citizens of different governing entities!

Regardless of the division of governance in Judea/Samaria, however, HRW’s wider claim is also a lie. There are thousands of Israeli Arab citizens living across the Green Line in French Hill, Beit Hanina, Beit Safafa and other communities who can vote in Israeli elections—just like Israeli Jewish “settlers” can. The right to vote depends not on where they live but on *whether or not they are citizens*, as it does in every other country. HRW’s claim that Jews and Arabs enjoy a different legal status also implies that Jews are eligible to vote in Israeli elections regardless of where they live. But that’s a lie too: if an anti-Zionist American Jew moved to Ramallah, he would not be allowed to vote in Israeli elections despite his status as a Jew living in Judea/Samaria—because he would not be an Israeli citizen.

Virtually every example of “apartheid” cited in the HRW report is based not on whether the individuals concerned are Arab or Jewish but on whether or not they are Israeli citizens. As explicitly stated in ICERD, this distinction does *not* amount to “racial discrimination.” This one statement undermines HRW’s entire lengthy report—and its deliberate suppression exposes HRW’s antisemitic bias and dishonesty.

Amnesty International

Let’s turn, finally, to the Amnesty International report, entitled, “Israel’s Apartheid against the Palestinians: A Look into Decades of Oppression and Domination.”¹⁹⁹ Founded in 1961 and based in the United Kingdom, Amnesty is another enormous human rights NGO that boasts that it is “a global movement of more than 10 million people who are committed to creating a future where human rights are enjoyed by everyone.”²⁰⁰ It similarly claims that it is “independent of any political ideology, economic interest or religion” and that it stands “with victims of human rights violations whoever they are, wherever they are.”²⁰¹ For those who have followed Amnesty over the years, those claims are clearly not entirely true. They may have done valuable work in the past, and still do some now, but over the past decade at least the organization has adopted an obsessively one-sided anti-Israel line, producing numerous reports blatantly stretching the truth to attack the Jewish state,

¹⁹⁸ https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution#_ftn63.

¹⁹⁹ <https://www.amnesty.org/en/latest/campaigns/2022/02/israels-system-of-apartheid/>.

²⁰⁰ <https://www.amnesty.org/en/about-us/>.

²⁰¹ <https://www.amnesty.org/en/about-us/>.

with no interest in defending the human rights of Jewish Israelis. Its 2022 report was the culmination of years of similar reports.²⁰²

Amnesty uses many of the same dishonest tricks as HRW does, twisting the definition of apartheid to try to make it stick to Israel, with most of its arguments also based on how Israel distinguishes between citizens and non-citizens, particularly in Judea/Samaria. They also invoke an expanded definition of apartheid allegedly derived from international law, which they claim says that “national origin discrimination” is apartheid, thus concluding that the “discrimination” Israel enforces between Jews and Arabs in Judea/Samaria is “apartheid.” Here is the key passage:

The public international law prohibition of Apartheid is best found in an advisory opinion by the International Court of Justice relating to South Africa’s presence in Namibia, where the violation is defined as “distinctions, exclusions, restrictions and limitations exclusively based on grounds of race, color, descent or national or ethnic origin which constitute a denial of fundamental human rights.”²⁰³

The problem, however, is that the text quoted by Amnesty from the ICJ’s 1971 advisory opinion in the *Namibia* case actually says nothing about “defining” apartheid:

130. It is undisputed ... that the official governmental policy pursued by South Africa in Namibia is to achieve a complete physical separation of races and ethnic groups in separate areas within the Territory. ...

131. Under the Charter of the United Nations, the former Mandatory had pledged itself to observe and respect, in a territory having an international status, human rights and fundamental freedoms for all without distinction as to race. To establish instead, and to enforce, distinctions, exclusions, restrictions and limitations exclusively based on grounds of race, color, descent or national or ethnic origin which constitute a denial of fundamental human rights is a flagrant violation of the purposes and principles of the Charter.²⁰⁴

²⁰² Once again, much of what follows is inspired by Elder of Ziyon’s work. For an example, see <https://elderofzion.blogspot.com/2022/01/new-amnesty-report-makes-up-yet-another.html>.

²⁰³ <https://www.amnesty.org/en/latest/research/2022/02/qa-israels-apartheid-against-palestinians-cruel-system-of-domination-and-crime-against-humanity/>.

²⁰⁴ <https://law.justia.com/cases/foreign/international/1971-icj-rep-16.html>.

International law did not define the crime of apartheid in 1971. The Court's opinion did not try to define apartheid in any sense. South Africa freely admitted it had a policy of apartheid. The entire question before the IJC was whether South Africa's policies in Namibia were specifically a violation of the UN Charter. And it is suggested that internal discrimination on the basis of national origin is such a violation.

What's the point? Just like HRW, Amnesty realizes that the actual definition of apartheid under international law does not apply to Israel, so they must grab whatever half-truths they can find in order to claim that some awkward mixture of excerpts from the Rome Statute, the Apartheid Convention (which only refers to "racial discrimination" similar to that of South Africa), ICERD (which excludes non-citizens from its expanded definition of "racial discrimination"), and the ICJ's advisory opinion in the *Namibia* case (which does not define apartheid in any sense) renders Israel guilty of "apartheid." And so the fact that different laws apply to Israelis and Palestinians in Judea/Samaria becomes "discrimination on the basis of national origin," which now merits the evil label "apartheid."

But, as we have just seen, "discrimination on the basis of national origin" is not defined as "apartheid" under international law. And what Amnesty refers to as discrimination is the fact that Israeli law, like the law of every other nation, distinguishes between citizens and non-citizens. (As does Palestinian law, in the same territory, yet Amnesty never labels *that* "apartheid.") "Separation" of people based on national origin is only problematic when it occurs among citizens within the borders of a sovereign country. That's something that would perhaps violate the UN Charter. But Israeli law does not distinguish between, much less "separate," its citizens on the basis of national origin.

As for the separation of citizens between two distinct governing entities? That's called the international order.

Amnesty is lying—and they know it. There is nothing resembling apartheid either within Israel (inside the Green Line) or across Judea/Samaria. The "apartheid" charges are simply false and defamatory, requiring twisted definitions and the application of standards to Israel that are applied to no other country. Every country suffers from racism and discrimination, but in the case of Israel it's falsely classified as "apartheid." Likewise, every country distinguishes between citizens and non-citizens, but in the case of Israel it's falsely classified as "apartheid." The goal is simply, by hook or by crook, to label the Jewish state as guilty of the worst crimes of the 20th century.

The Reverse

Once again, if anything, the reverse of the lie is true.

If there is apartheid in this region, it is the other side that is guilty of it.

First of all, there is quite literally Middle East *Arab* apartheid against the Palestinians! In Lebanon and Syria, for example, Palestinians are not allowed to become citizens even after 75-plus years of living there, over several generations, and there are legal restrictions on where they can live, what property they can own, what professions they can pursue, and so on.²⁰⁵ If you want to see a genuine “open-air prison” (to anticipate the next lie against Israel), you need look no further than the walled-in Palestinian refugee camp in Lebanon.²⁰⁶

At the same time, there is even greater Arab apartheid against the Jews. Almost all Arab countries expelled almost all of their Jews: you don’t get more enforced “separation” than that. There are currently zero Jews living under Palestinian Authority control in Judea/Samaria and zero Jews living in Gaza under Hamas. Compare that with the sizeable Arab community within Israel, which accounts for almost 22% of the total population. And never mind the lack of Jews *living* in Palestinian-controlled areas. It is widely known, due to multiple instances of violence, including murder, that it is extremely dangerous for Jews to even *enter* areas under Palestinian Authority (not to mention Hamas) control. For the record, Israeli Arabs can enter these areas freely and safely; it is only Israeli Jews who cannot. Arab citizens of Israel can literally travel anywhere in Israel and in Judea/Samaria, while Jews cannot travel to Areas A and B or to Gaza. We have already discussed Palestinian laws proscribing land sales to Jews and offering rewards to those who murder Jews. If all of these don’t amount to legally enforced discrimination and separation then, again, it is hard to imagine what would.

There is also *some* apartheid in Israel, as there are legal restrictions on visiting, much less worshipping, at the Temple Mount in Jerusalem. But these restrictions target Jews and their access to their own holiest site, so it is *Jews* who suffer from apartheid, in this case, at the hands of their own government—in a deal meant to assuage Arab hostility. So its ultimate source, in fact, is Arab ill will.²⁰⁷

²⁰⁵ <https://www.gatestoneinstitute.org/19807/palestinians-apartheid-lebanon>.

²⁰⁶ <https://elderofziyon.blogspot.com/2016/11/lebanon-walls-off-palestinians-their.html>.

²⁰⁷ Recent efforts by some Israeli government ministers to change this situation, as widely reported in the news, have actually met with substantial pushback from secular and religious authorities within Israel.

Surely it is striking that B'Tselem, HRW, and Amnesty, all supposedly dedicated to universal human rights, have devoted hundreds of pages to inventing a non-existent system of Israeli apartheid against Arabs while entirely ignoring the reverse reality, thus highlighting their near-universal disregard for *Jewish* human rights.

And, if you want to see some actual attestations of offensive “supremacy,” you could examine the writings, speeches, and sermons of the countless Islamists who dedicate themselves to the destruction of Jews and Israel, including Iran, Hezbollah, and Hamas, and much of the official religious leadership of the Palestinian Authority, whose sermons are constantly broadcast on official Palestinian media channels. Here you will encounter their view that Islam must become the dominant religion on Earth and hear the most horrific things said about Jews, including that they are the “sons of apes and pigs.” Indeed Hamas’s 1988 foundational charter, which openly endorses the murder of every Jew on Earth, literally opens with a Qur’anic verse stating that “Ye [Muslims] are the best nation that hath been raised up unto mankind.”²⁰⁸

Thus the Truth: The allegation of Israeli “apartheid” is a defamatory lie, sustained only by twisted definitions, the misrepresentation of international conventions, and the application of standards to Israel that are not applied to any other countries, including its enemies. In fact, despite its imperfections, Israel enshrines equality in its laws, is the only place in the Middle East where Jews and Arabs coexist, and its substantial Arab minority not only participates fully in society (in the fields of law, politics, medicine, education, etc.) but enjoys more rights and freedoms than Arab citizens or subjects do in most Arab countries. In contrast, genuine apartheid may be found in the way that Arabs treat not only the Jews but also other Palestinians.

Some resources

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Salo Aizenberg, “A Threshold Crossed: Documenting HRW’S “Apartheid” Fabrications,” NGO Monitor, November 2022, <https://www.ngo-monitor.org/reports/threshold-crossed-hrw-apartheid/>.

²⁰⁸ https://avalon.law.yale.edu/20th_century/hamas.asp.

Alan Johnson, “Why Amnesty is Wrong to Call Israel an ‘Apartheid State,’” *Fathom* (October 2022), <https://fathomjournal.org/2022-introduction-enough-is-enough-on-amnestys-antisemitic-apartheid-report/>.

Israel Kasnett, “HRW Crosses Line with Apartheid Accusation against Israel,” Jewish News Syndicate, April 30, 2021, <https://www.jns.org/hrw-crosses-line-with-apartheid-accusation-against-israel/>.

CAMERA (@CAMERAorg), “15 Lies in 15 Minutes: Amnesty’s International ‘Apartheid’ Video,” Twitter (now X), April 18, 2023, <https://x.com/CAMERAorg/status/1648341170626412544>.

Richard Kemp, “Exposing the Lie of Israel Apartheid,” Gatestone Institute, January 7, 2002, <https://www.gatestoneinstitute.org/18094/israel-apartheid>.

Big Lie #10:

Those who were expelled to Gaza are kept in an “open-air prison.”

Although this lie—with its variant to the effect that Gaza is a “concentration camp”—may seem a smaller one compared to the previous lies, it’s just as pernicious as the others. It’s an essential part of the anti-Israel narrative, claiming that Israeli Jews are evil oppressors of innocent Palestinian victims, unjustly keeping them in a prison or concentration camp the same way the Nazis did to the Jews. Linking Israel to the Nazis is a deliberate strategy. Nowadays, every decent person agrees that the Nazis were pure evil, so comparing Israel to Nazi Germany leads directly to delegitimization and dehumanization. Moreover, anti-Israelists likely experience some perverse pleasure in identifying Jews with their historical persecutors. The Palestinians, oppressed by such an evil regime and “imprisoned in a concentration camp,” are thus seemingly justified in “resisting,” including “by any means necessary.”

The lie is also used specifically to justify the October 7 massacre. Here, in just one of many examples, is Nerdeen Kiswani, former CUNY Law School anti-Israel leader, now leader of Within Our Lifetime—a major New York City anti-Israel group responsible for endless demonstrations, rallies, and harassment both before and after October 7—explaining her group’s aggressive protest at a commemorative exhibition for the victims of October 7:²⁰⁹ “The nova music festival was a rave next to a concentration camp. The exhibit at 35 Wall Street in NYC is propaganda used to justify the genocide in Palestine.”²¹⁰

Refuting this lie strikes at the heart of the anti-Israel movement. If Gaza is *not* an “open-air prison” or “concentration camp,” then not only is October 7 *not* justified but Israeli Jews aren’t the evil oppressors they are made out to be—and whatever ills beset Gaza may be due not to Israel but to its being controlled by the Islamist terrorist group Hamas. Likewise, whatever ills beset Palestinians as a whole may then be seen to be due not entirely to Israeli “oppression” but at least partly to their own actions and choices, leading to an entirely new (i.e. more accurate) understanding of the Israeli-Palestinian-Jewish-Arab-Muslim-Iran conflict.

²⁰⁹ Her long record of anti-Israel activism is documented here: https://canarymission.org/individual/Nerdeen_Kiswani.

²¹⁰ <https://x.com/NerdeenKiswani/status/1800387591457698218>.

It is worth recalling that Israel unilaterally withdrew all its settlements and 8,000+ people from the Gaza Strip and handed it over to the Palestinians in 2005. Many spoke of the move as an important concession toward peace, imagining that Gaza would become a peaceful neighbor to Israel. This would be another step toward Palestinian statehood (following the Oslo Accords), supported by international investment that would potentially turn Gaza into a “Singapore” on the Mediterranean. Instead, in the last proper elections held in Gaza for the past 18 years, Palestinians awarded Hamas a parliamentary majority. This was right after the Second Intifada, in which Hamas had led the suicide bombings and other terror attacks, so they knew who they were voting for. In 2007, Hamas illegally wrested control of Gaza from the Palestinian Authority in a violent coup, murdering dozens of their political rivals, and soon began firing rockets into Israel. Over the past 17 years, they have coopted massive amounts of international aid and turned all of Gaza, as revealed since October 7, into an enormous military-terror fortress, with hundreds of miles of tunnels (costing billions of dollars) packed with tens of thousands of rockets and other weapons. Hamas have used all this infrastructure and weaponry to start at least five wars against Israel and perpetrate many other terrorist attacks. After Hamas took over Gaza, Israel instituted its blockade of the Strip—not a “siege” but a mechanism to prevent military resources from entering.

There may well be economic and other challenges within Gaza, but the fundamental reason for conditions there is that it is ruled by an Islamist terror group that coopts all aid and is pursuing a perpetual war against a neighbor that literally just gave them the land.

It could have been a “Singapore.” But has it instead become, in fact, an “open-air prison”?

Well, it may be “open-air,” but most “prisons” don’t also have an “open-door” policy. In fact, Gazans can and do travel relatively freely, primarily via Egypt, to all parts of the world—and then return home again. Moreover, thousands can and do enter Israel for work, medical care, and other activities—and then return home again. Can you imagine voluntarily returning to a “prison” or a “concentration camp”?

According to figures compiled by the media watchdog HonestReporting on the basis of UN data,²¹¹ 350,000 Gazans exited Gaza via Egypt and Israel during the first six months of 2023, which is equivalent to an annual rate of about a third of the

²¹¹ Links to these reports may be found here: <https://x.com/Aizenberg55/status/1781329840370593856>; <https://x.com/Aizenberg55/status/1780971448674246923>; <https://x.com/Aizenberg55/status/1689313248430940160>.

population. In August and September 2023 alone, just before they “broke out” of their prison, 37,000 Gazans traveled abroad via Egypt.

Some “prison”!

As the above-mentioned report by HonestReporting notes, the “open-air prison” lie has been cited as a key justification for Hamas having “no choice” but to perpetrate the atrocities of October 7. At the same time, it would appear that hundreds of thousands of Gazans leaving and returning to the Strip never got the memo.

It is also worth noting that, in recent years, Israel had been steadily increasing the number of permits issued to Gazans to work in Israel, enabling them to earn better salaries than they could in Gaza, not to mention the overall support this provides to the Gazan economy. The idea was that, once Gazans started to get a taste of the benefits of peaceful coexistence, they would lose the incentive for war. However, the events of October 7 revealed that many of those workers were gathering intelligence on the layout and composition of southern Israeli communities and even participated in the slaughter facilitated by this intelligence. Talk about biting the hand that feeds you! However, the key point is that Gaza’s being anything *but* a prison is what helped Hamas perpetrate the October 7 massacre, while using the “prison” lie to justify their despicable actions.

Next, let’s take a look at what life was like inside the “prison.” I’m not suggesting that what follows is representative of all of Gaza. One may concede that there were even significant economic hardships in place there. But the point is that these hardships are also not representative, which is what anti-Israelists would have you believe in disseminating the “prison” trope. The simple question is thus whether genuine prisons or concentration camps have ever had anything like what we’re about to see.

The best source for this is someone going by the handle @IMSHIN on Twitter (now X).²¹² Since 2018, this person has been documenting what they describe as #TheGazaYouDon’tSee using open source material, typically videos posted by Gazans themselves on their own social media. In recent weeks, @IMSHIN has been documenting the lie that Gaza is in or threatened by “famine” due to insufficient aid during the war by sharing videos posted by Gazans of their thriving markets, of functioning restaurants, even of people throwing away superfluous food. But for years @IMSHIN has also been documenting the many lovely aspects of life in Gaza, even under Hamas, prior to October 7: the fancy hotels, gourmet restaurants, dance clubs, chocolate shops and coffee shops, luxury car dealerships, beautiful homes

²¹² <https://x.com/imshin>.

and mansions, jewelry stores, beach resorts, water parks, public and private swimming pools, and so forth.

Perhaps ironically, @IMSHIN has also been sharing the many Gazan accounts of the “beautiful Gaza” they have so sadly, tragically, *lost* since October 7. It is worth pausing to note the hypocrisy of the anti-Israelist narrative. Before October 7 Gaza was an “open-air prison” because that made Israel look bad. Since October 7 the narrative is that Israel has “destroyed beautiful Gaza” because that also makes it look bad. No one seems to notice or care that these two narratives directly contradict each other.

The truth is simpler and much more consistent. Gaza was not a prison but a complicated place with certain wonderful aspects. Some of those have now been destroyed, unfortunately, because Hamas launched a barbaric war on October 7, killing indiscriminately, taking hostages, and then refusing to surrender or return hostages while using all of Gaza as a large human shield.

It is instructive to take a quick glance, then, at “beautiful Gaza.” A two-minute video summary can be found at the link in this footnote.²¹³ Another example of a Gazan sharing her beautiful Gaza can be found at the link in this footnote.²¹⁴ Here also is a very small subset of the innumerable images and videos that are available online, presented via some screenshots.

We begin with a hotel, a beach resort, another beach resort, and a water park:



²¹³ <https://x.com/imshin/status/1492122977047093251>.

²¹⁴ <https://x.com/imshin/status/1688709609278623752>.



Next we have a café, a beachfront restaurant, a coffee shop, and rooftop breakfast buffet:



Next up: a shopping mall, a luxury car dealership, graduation bouquets, and gourmet chocolates:



And finally: a jewelry store, a fancy neighborhood, a custom-designed home, and one of many swimming pools:





In summary, whatever problems life in Gaza may present, it is (or was) also an area with many beautiful places and venues. Last time I checked, to be blunt, Auschwitz had none of these—not to mention the freedom to leave on a nice vacation—and nobody voluntarily returned there if they managed to escape.

The only conclusion, then, is that Gaza is (or was) not only *not* an “open-air prison” but is (or was) not even truly “oppressed by Israel,” whose blockade (a) clearly allowed for the development of all the beautiful places and venues presented above and (b) was only intended to restrict the military capabilities of the genocidal terrorist group that has ruled Gaza with an iron fist for 17 years.

Does resisting *this* justify the slaughter of October 7?

One must truly hate Israeli Jews to believe that it does.

It is therefore shocking that this lie has convinced large numbers of people across the world to endorse and celebrate the barbaric massacre of October 7—thus revealing the deadly power of the Big Lie.

Thus the Truth: Before October 7 Gaza was nothing like an “open-air prison,” much less a concentration camp, but a place that included many beautiful and luxurious places and venues such as hotels, restaurants, beach resorts, shopping malls, car dealerships, and so on, with relative freedom for Gazans to leave on vacations and then willingly return home. The Big Lie that it was a “prison” is especially pernicious because the idea of “resisting imprisonment” seems to have convinced many to endorse and even celebrate Hamas’s barbaric October 7 massacre.

Some resources

<https://x.com/imshin>

<https://x.com/Aizenberg55>

Big Lie #11:

All of the above proves that “Zionism is racism.”

This lie can be traced back to the orchestrated Soviet anti-Zionism campaign of the 1960s and 1970s, culminating in the infamous 1975 UN General Assembly Resolution 2279 declaring that “Zionism is a form of racism.”²¹⁵ That resolution and its message was part of a well-documented disinformation and delegitimization campaign against Israel.²¹⁶ Though the specific resolution was officially repealed in 1991, the lie continued on its journey, refueled by the 2001 Durban Conference—the same UN anti-racism conference that gave birth to both the modern BDS movement and the campaign to label Israel as an “apartheid” state.

There’s some confusion about the word “race” here. Those pushing the lie today typically combine it with the claim that Israeli Jews are “white” and that Palestinians are “people of color,” in order to link the issue of the Israeli-Palestinian-Jewish-Arab-Muslim-Iran conflict to the racial tensions that have divided the United States in recent years. They deliberately portray the conflict through the lens of the “white oppression” doctrine that has gained momentum in the United States in order to lure contemporary progressives into the anti-Israel camp. When the conflict is (incorrectly) reduced to yet another example of whites oppressing people of color, the conclusion automatically follows that one should be anti-Zionist—just as one should be anti-white-supremacist.

Except that, if “race” refers to skin color, then (as we’ve seen) it’s not applicable here: Israeli Jews come in all shades, as do Palestinians. Whatever else the conflict may be, it’s not a “race conflict.” This means that one should not project whatever one thinks about the problem of racism in the United States onto the Middle East. Anyone who does so instantly reveals either their ignorance or malevolence.

Of course, one may also use the word “race” more broadly to refer to something closer to ethnicity or perhaps nationality. The fact that the conflict is at least partly a “national conflict,” i.e. a conflict between two nations, is abundantly clear. Based on this approach, “Zionism is racism” is a claim that Zionism is either prejudiced or

²¹⁵ https://en.wikipedia.org/wiki/United_Nations_General_Assembly_Resolution_3379.

²¹⁶ <https://fathomjournal.org/newsletter/fathom-highlight-izabella-tabarovsky-on-soviet-anti-zionism-and-contemporary-left-antisemitism/>.

discriminatory toward non-Jews in principle or in practice, or both. However, this idea should surely be tempered by acknowledging the context of the national conflict. If two nations are in conflict with each other, it's not exactly "racism" for each nation to take measures against the other. It's neither "prejudice" nor "discrimination," for example, to take measures against a nation that is determined to harm you or your citizens. Instead, it is a legitimate form of self-defense. (What *may* be racism is to highlight only the measures taken by one nation against the other and to utterly ignore the measures the second nation takes against the first, as anti-Israelists are wont to do.)

In Principle

The allegation that Zionism is racism "in principle" is simply a canard. Zionism is basically a "civil rights movement for Jews" or maybe a "*human* rights movement for Jews." It is the belief that the Jews have a basic right to live in security in their ancestral homeland, just like all other peoples. Yet this right of national self-determination, which forms the basis of the nation-state paradigm that characterizes much of the modern world, is somehow only considered "racist" when it is applied to the Jews. Moreover, to denigrate Zionism (the promotion of Jewish rights) as "racism" is equivalent to saying that women's rights groups are sexist for promoting women's rights, that Black Lives Matter is racist for standing up for Black rights, or that LGBTQ groups are heterophobic for advocating in support of queer rights. In other words, it is a failure to distinguish between being *for* something, in particular *for* a certain marginalized or persecuted group, and being *against* something or a particular group. Being *for* something is generally consistent with being *for* other things. That is why Zionism is actually consistent, in principle, with also being "pro-Palestinian," with believing that Palestinians have similar rights, for example in the framework of a two-state solution. That is why, if you survey campus responses to October 7, you will find active support for a two-state solution—or at least for "peace" as a form of coexistence rather than as a prelude to the destruction of Israel—only among the Zionists.

In contrast, both in theory and in practice, the "pro-Palestinian" movement is much more *against* something (i.e. *anti-Zionist*, *anti-Israel*, and often *antisemitic*) than it is *pro anything*. That is why you will *not* encounter a single "pro-Palestinian" protester on campus calling for "peace" (in the sense of coexistence) or a "two-state solution," but only slogans such as "We don't want two states, we want 1948!" and "From the river to the sea, Palestine will be Arab!"²¹⁷ What they actually seek is the destruction of

²¹⁷ The more familiar English version of the slogan demands that Palestine be "free." But the Arabic version of the chant, often heard on campuses, is that it be "Arab." Using "free" allows protestors to pretend they

Israel. The fact that they openly embrace the “anti-Zionist” label indicates this rather clearly. Zionists never refer to themselves as “anti-Palestinian,” that smear being levied only by anti-Zionists against Zionists, because Zionists are *for* Jews and Israel, not *against* Palestinians. In fact, if being “racist” means being “against” another race, then the anti-Zionists are a far more plausible candidate for this label.²¹⁸

There’s also some additional dishonesty among people who promote the “Zionism is racism” lie. Those who do so are “all in” for the “Palestinian national movement,” framed in the same terms as Zionism, namely as advancing the human rights of the Palestinians, yet none of them argue that *that* basic idea is “racist.” Apparently, only Jews asserting their human rights is “racist.” Nor do anti-Israelists have a word to say about the world’s 20-plus Arab countries and 50-plus Muslim countries, despite the fact that many or most of them have enshrined Islam as their official state religion, have zero or nearly zero Jews, forbid Israeli Jews from even entering the country (let alone from living there), and in some cases even have places that are legally off-limits to non-Muslims. If I described to you a country that established a single official religion, expelled all members of one particular ethnic group, and refused to let any of them enter the country, I’m pretty sure the word “racist” would come to mind. But no, this label somehow seems to be reserved only for the national movement of the Jews, despite the fact that non-Jewish minorities make up almost 25% of Israel’s population, that Israel has enshrined equality for all citizens in its laws, that it promotes religious tolerance and freedom, as well as freedom of access to all holy places, and that it allows great freedom of entry (subject to legitimate security considerations like all other countries).

Let’s also recall one of Zionism’s founding principles, articulated in Theodor Herzl’s writings and pervading the movement ever since: Zionism is about “cohabitation.” Herzl famously predicted that the Arabs would welcome the Jews because the Jews would bring modernity and prosperity. Alas, he was right about the latter but not about the former. However, the key point is the vision—one of mutual prosperity and peaceful coexistence.

So, no, Zionism is not racist “in principle.” But what about “in practice”?

are not calling for the genocide and ethnic cleansing of seven million Jews. But in principle and in practice they are, not least because the same protestors will themselves often chant the Arabic version.

²¹⁸ I have argued more thoroughly elsewhere that the opposing movements are deeply dissimilar in this respect. Those that are pro-Israel genuinely are *for* Israel and *for* the Jews, while those that are allegedly “pro-Palestinian” are in fact are not “pro” anything but only anti-Israel and anti-Jews. See, for example, <https://www.telospress.com/author/apessin/>. Similarly, I have argued that the “pro-Palestinian” movement exhibits few behaviors demonstrating actual support for Palestinians, choosing instead to invest almost all their resources in attacking Jews and Israel. See, for example, <https://blogs.timesofisrael.com/how-to-be-pro-palestinian-on-campus-without-being-an-antisemite/>.

In Practice

Herzl *was* wrong. The decades leading up to 1948 were filled with much conflict, including much Arab violence against Jews (and sometimes Jewish violence against Arabs—neither side has a monopoly on sainthood or villainy). But there are two key facts to remember that conclusively answer the question whether Zionism is racism “in practice.” As of the November 1947 partition proposal, there were *zero* Arab refugees in Palestine, meaning that Zionism itself displaced *nobody*. On the contrary, hundreds of thousands of Arabs moved into the region because the Jews brought modernity and prosperity *for everyone*, just as Herzl had predicted. If Zionism were indeed “racism,” it would be awfully strange for the targets of that racism to swarm to the region in droves.

That being said, Israel was founded as a “Jewish state”—not exclusively for Jews (another common lie) but to provide a Jewish homeland and a safe haven for Jews everywhere. It therefore has a “Jewish character.” The country’s official language is Hebrew (as well as Arabic), it follows the Jewish calendar, it displays Jewish national symbols, it promotes Jewish welfare, and so forth. In this it is no different to most other countries with a majority population, especially one with an “ethnic” component. Anti-Israelists often point to Israel’s 2018 Basic Law: Israel as the Nation-State of the Jewish People (also known as the Nation-State Law) with particular opprobrium.²¹⁹ But note, first, that this law was only passed in 2018, while anti-Israelists have been making the “racist” charge against Israel for decades. More importantly, it is worth recalling that there are some 150-plus Christian-majority states and territories, 50-plus Muslim states, and 20-plus Arab states around the world. Many of them have a far more dominant majority culture than Israel does, including harsh legislation that enshrines the privileged status of the majority. Placed alongside such laws, Israel’s Nation-State Law pales in comparison, but for some reason only Israel is criticized. Most importantly of all, Israel’s Nation-State Law is balanced by other Basic Laws, including the Basic Law: Human Dignity and Liberty and the Basic Law: Freedom of Occupation, which essentially guarantee the fundamental equality of all its citizens—yet once again only Israel is criticized.²²⁰

Israel also has the aforementioned “Law of Return,” in partial fulfillment of its goal to be a safe haven for any Jew escaping persecution. But many countries have similar laws prioritizing people of their dominant ethnicity or identity, even where those countries and their people do not require the safe haven Jews perennially do. (In this context, it has been said that Israel, in repatriating diaspora communities from such places as Ethiopia and India, is the only country in history to expedite the

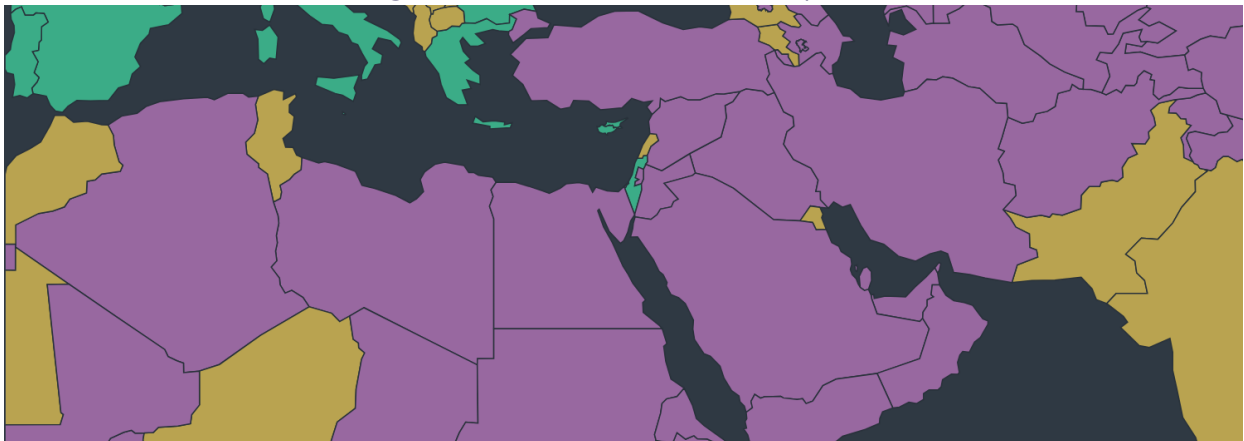
²¹⁹ For the text and a discussion of the Nation-State Law, see <https://www.jewishvirtuallibrary.org/understanding-israel-s-nation-state-law>.

²²⁰ [https://www.venice.coe.int/webforms/documents/?pdf=CDL\(2002\)129-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL(2002)129-e).

entry of “people of color” in order to *emancipate* rather than *enslave* them.) As I write, the Maldives has just announced an entry ban against people with Israeli passports, due to alleged Israeli offenses during the war in Gaza. In addition, it has enshrined Islam as its official religion, extends citizenship only to Muslims, restricts top political and judicial positions to Sunni Muslims, and criminalizes both the criticism of Islam and the expression of any other religious beliefs.²²¹ If that isn’t a form of “racism,” broadly construed, then it’s hard to imagine what is—yet the Maldives stands in judgment of Israel.

Perhaps all this is most clearly represented in the fact that Israel’s “freedom” score in Freedom House’s annual country rankings is not only the highest in comparison to *all* of its Middle Eastern and North African neighbors and enemies but the highest *by far*.²²² The following image captures this point vividly, provided you are able to make out that tiny green sliver of “freedom” in the vast sea of unfree purple. And yet it is Israel, and only Israel, that is attacked globally for its “racism.”

Figure 24: Global Freedom Map²²³



We’ve already addressed the lie of “Israeli apartheid,” but it’s worth reiterating that, notwithstanding its Jewish “character,” Israel is in fact a highly multiracial, multiethnic, multicultural, and pluralistic country with a strong commitment to liberal ideals (the rule of law, individual rights and freedoms, religious pluralism, protection of minorities, etc.) and, through its “Basic Laws,” to equality under the law. Like most countries, it is not perfect, but at bare minimum its levels of multiculturalism, pluralism, and liberalism compare rather favorably with those of its neighbors and enemies, not one of which is even a democracy and many of which are driven by Islamist extremism.

²²¹ <https://x.com/HenMazzig/status/1797925868301439090>.

²²² <https://freedomhouse.org/countries/freedom-world/scores?sort=asc&order=Total%20Score%20and%20Status>.

²²³ <https://freedomhouse.org/explore-the-map?type=fiw&year=2024>.

All that is the very opposite of racism.

Add to all this, finally, that Israel is perpetually under attack from hostile surrounding countries and from terrorism. Many of its practical measures—the “separation barrier,” checkpoints, airport screenings, and even “settlement-building” to a certain degree—are therefore justifiable measures of self-defense rather than expressions of “racism” or “apartheid.”

The preceding paragraphs reveal the true nature of the charge that “Zionism is racism.” It is nothing more than a racist claim aimed at delegitimizing Israel and dehumanizing Jews.

The Reverse

And once more, as we’ve seen throughout this essay, it’s the reverse that’s true.

It is *anti-Zionism* that is racism—not just on account of the demonization, delegitimization, double standards, and so forth outlined above, but specifically for denying Jews the same basic rights that are afforded to all other peoples, including the right to self-determination in one’s ancestral homeland, and by describing only the Jewish national movement as “racist” while celebrating Palestinian nationalism. Anti-Zionism also qualifies as racism for ignoring the serious issue of “Islamist supremacy,” a form of “racism” directed against all non-Muslims, as demonstrated in the above example relating to the Maldives but more generally in the long history of Islamist conquest and subjugation described earlier and the utter refusal to countenance the existence and equal status of Jews, let alone a Jewish state, anywhere in the Middle East. In this context, it is worth recalling such documents as Hamas’s foundational charter,²²⁴ which has fueled decades of terrorist violence against Israeli Jews.

Figure 25: Islamist Supremacy²²⁵



²²⁴ https://avalon.law.yale.edu/20th_century/hamas.asp.

²²⁵ <https://x.com/Khaledhzakariah/status/1761751902356729955?s=20>.

And, finally, here is an image of the largest meeting room of the Arab League’s headquarters in Cairo. In large letters at the front of the room (circled in the photo) is the aforementioned verse from the Qur’an that opens the Hamas charter, stating: “Ye [Muslims] are the best nation that hath been raised up unto mankind.”

To be clear, I don’t have a problem with proponents of any religion or any nation thinking of themselves as the “best,” at least in some ways. After all, why would you belong to a religion if you did not think it was the “best”? Pride in one’s nation can also be a wonderful and virtuous thing. The problem is when that belief leads to actions such as imperialism, conquest, subjugation, and terrorism—and when anti-Zionists single out Zionism for alleged “racism” when it is overwhelmingly the enemies of Israel, of the Jews, and of Zionism that are guilty of it.

Thus the Truth: Zionism is racist neither in principle nor in practice. It is a “human rights movement” for Jews, promoting their right to security and self-determination in their ancestral homeland, and in practice has produced a multicultural, pluralistic, and liberal state that is the opposite of racism. On the contrary, it is anti-Zionism that is racist in (1) being against the Jews; (2) holding the Jewish national movement, and the Jewish people, to standards that are not applied to any other nation, including the enemies of Israel; and (3) promoting Muslim Arab supremacy.

Some resources

Theodor Herzl, *The Jewish State* (1896) (Dover Publications, 1988), available at Project Gutenberg: <https://www.gutenberg.org/files/25282/25282-h/25282-h.htm>.

Izabella Tabarovsky, “Soviet Anti-Zionism and Contemporary Left Antisemitism,” *Fathom*, May 7, 2019, <https://fathomjournal.org/newsletter/fathom-highlight-izabella-tabarovsky-on-soviet-anti-zionism-and-contemporary-left-antisemitism/>.

Evelyn Sommer, “Fighting Delegitimization: The United Nation’s ‘Zionism Is Racism’ Resolution, a Case Study,” World Jewish Congress (no date), <https://www.worldjewishcongress.org/en/85th-anniversary/fighting-delegitimization-the-united-nations-zionism-is-racism-resolution-a-case-study>.

Big Lie #12:

“Resistance” to Zionism “by any means necessary” is entirely justified, including the massacre, rapes, torture, and kidnappings of October 7, 2023.

The main perpetrators of terrorist violence against Israeli Jews— Hamas, Hezbollah, Fatah (the main faction of the Palestine Liberation Organization and the Palestinian Authority), the Popular Front for the Liberation of Palestine, Palestinian Islamic Jihad, and others—don’t worry too much about “international law,” as they are able to violate it blatantly and constantly and never suffer any consequences for doing so. Here are just a few examples of Hamas’s violations of international law both on October 7 and in all the previous wars it started:²²⁶ it indiscriminately fires rockets from residential areas in Gaza toward residential areas in Israel (each rocket a double war crime); it militarizes protected sites such as hospitals, mosques, and schools; it has built a massive network of military tunnels directly beneath civilian infrastructure, including roads and buildings; its fighters are often dressed as civilians; and it directly targets non-combatants, including children, the disabled, and the elderly. In contrast, as we have seen, Israel goes to extraordinary lengths to comply with international law, despite its opponents’ non-compliance.

By buying into and promoting this particular lie—which has both an intuitive and a legal dimension—Western *supporters* of the Palestinian cause, in particular the anti-Israelists who are active on many campuses, are actually *justifying* terrorism. Campus slogans clearly reveal this: “When a people is occupied, resistance is justified!” “Resistance,” of course, is a code word for physical violence, including the targeting of non-combatants. If you still have any doubts in this regard, “by any means necessary,” another omnipresent slogan across campuses, further clarifies the underlying sentiment.

This lie cleverly resonates with something intuitively appealing. One is, generally, morally justified in defending oneself against an attack. When an aggressor comes at you, you may “resist” in self-defense. Though I’m no scholar on this, international law, in a general way, permits people and states to defend themselves against aggression.²²⁷

²²⁶ For these, and more, see <https://elderofziyon.blogspot.com/2024/06/it-is-not-only-october-7-and-hostages.html>.

²²⁷ The UN Charter, for example, enshrines a right to self-defense in Article 51 of Chapter VII. See <https://legal.un.org/repertory/art51.shtml>.

The trick, though, is to determine what counts as “aggression” and what counts as “resistance.” Anti-Israelists believe, for example, that the October 7 massacre was not an act of “aggression” but a form of “resistance” or self-defense. On October 7 itself and immediately thereafter, anti-Israelists—such as the 30-plus Harvard student groups who released a statement while the massacre was still ongoing²²⁸—insisted that the attack “didn’t come in a vacuum,” that “we must look at the context,” and even that “Israel is responsible for all the violence” (i.e. including Hamas’s violence). Since Israel was not actually attacking anyone on October 6, indeed a ceasefire was in place at the time, this “self-defense” must accordingly be against something broader and more general. Indeed, the Harvard student groups, and many others, cited several of the lies addressed in this essay (including the lie that “Gaza is an open-air prison”) to justify the atrocities of October 7. However, given our thorough refutation of these lies, the only viable conclusion is that this “self-defense” was ultimately directed at the very existence of the Jewish state, which they perceive to be an aggression in itself, regardless of Israel’s policies or actions.

This reflects a general pattern of treating every single thing the Jews do as an “aggression” and every single thing the Palestinian Arabs do as a “response” or as “resistance.” Unpacking the bigotry that informs this pattern, in which the Jews are always the evil aggressors and the Palestinians lack all agency and are always just responding, is a topic for another essay.²²⁹

Here we’ll focus not on the intuitive but on the legal aspect of the lie, which amounts to the claim that international law itself allows or justifies Palestinian “resistance” not just in principle but by “any means necessary.” That in turn, amounts to condoning or justifying what most people would normally consider terrorism—homicidal violence directed at non-combatants—including the barbaric violence of October 7.

The short response to this is that international law does nothing of the kind.

The International Committee of the Red Cross, which bills itself as an “independent, neutral organization ensuring humanitarian protection and assistance for victims of armed conflict,”²³⁰ has published an authoritative document on the relevant

²²⁸ <https://nypost.com/2023/10/09/thirty-one-harvard-organizations-blame-israel-for-hamas-attack/>.

²²⁹ For a brief example of this, I have argued elsewhere that October 7 was such an escalation that it cannot possibly be justified on the basis of anything Israel has done, meaning that it cannot remotely count as “self-defense” or “resistance.” See <https://claritywithmichaeloren.substack.com/p/the-one-simple-question>.

²³⁰ <https://www.icrc.org/en/mandate-and-mission>.

international law, entitled “How Does Law Protect in War?”²³¹ The following excerpt (from Part I, Chapter 8, Section IV) succinctly captures the relevant rules:

From the point of view of International Humanitarian Law (IHL), civilians in occupied territories deserve and need particularly detailed protecting rules. Living on their own territory, they come into contact with the enemy independently of their will, merely because of the armed conflict in which the enemy obtains territorial control over the place where they live. The civilians have no obligation towards the occupying power other than the obligation inherent in their civilian status, i.e. not to participate in hostilities. Because of that obligation, IHL allows them neither to violently resist occupation of their territory by the enemy nor to try to liberate that territory by violent means.²³²

Even assuming that Israel “occupies” Palestinian territory (Big Lie #6), international law does *not* allow civilians to “violently resist occupation” or to “try to liberate that territory by violent means” while preserving their “civilian” status. Never mind the bizarre claim that Israel “occupied” Gaza prior to October 7: even if it did, violent resistance by civilians, much less “by any means necessary,” is simply, straightforwardly illegal. When they do perpetrate violence, in other words, they become combatants and lose the civilian protections, becoming legitimate targets in their own right. There is no “right,” then, for civilians to “violently resist,” as if they are entitled to perpetrate violence with impunity.

“When a people is occupied, resistance is justified!” the anti-Israelists scream—well, not according to international law, which clearly prohibits civilians from engaging in violent resistance.

So why do anti-Israelists claim that violent resistance is legally justified? They typically invoke United Nations General Assembly Resolution 37/43 of 3 December 1982,²³³ in particular the clause that “reaffirms the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and liberation from colonial and foreign domination and foreign occupation by all available means, including armed struggle.” With this statement in hand, along with the (false) claim that Israel today “occupies” Palestine either in whole or in part, it’s a small step to openly justifying the October 7 massacre.

Except that this position is entirely unwarranted.²³⁴

²³¹ <https://casebook.icrc.org/>.

²³² <https://www.icrc.org/en/doc/assets/files/publications/icrc-0739-part-i.pdf>.

²³³ <https://digitallibrary.un.org/record/40572?ln=en&v=pdf>.

²³⁴ Much of this section is inspired by Elder of Ziyon, See, for example, “No, Palestinian Terrorism is not Legal,” <https://elderofziyon.blogspot.com/2021/11/no-palestinian-terrorism-is-not-legal.html>.

First of all, it only applies, at best, on the basis of the false assumption that Israel “occupies” Palestine. Remove this assumption, as we have done in this essay, and the discussion is over.

More importantly, even if one accepts this false assumption, General Assembly resolutions are not laws but merely “recommendations.”²³⁵

More importantly still, even if one reads the above-mentioned General Assembly resolution as warranting “armed struggle” in certain circumstances, it is important to place it in the correct legal context. The reference to “armed struggle” should be understood, first, as referring to the actions of official combatants—not civilians (as noted above). Second, it should also be understood as indicating that the combatants in question are bound by international humanitarian law, which among other things prohibits deliberate or indiscriminate attacks on innocent civilians.

In this regard, it is important to consider the Fourth Geneva Convention, which unlike General Assembly resolutions does have the force of law, and which is specifically designed to protect civilians from combatants in time of war. Article 33, for example, is unambiguous: “No protected person [i.e. civilian] may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.”²³⁶ There is no exception to this rule.

The Additional Protocol to the Geneva Conventions, which also has the force of law, is even more explicit in Article 51(2): “The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.”²³⁷ Period. The article goes on to proscribe *almost every single action that Hamas undertook on October 7* (and has generally undertaken in its years of terrorist activity directed at non-combatants):

4. *Indiscriminate attacks are prohibited.* Indiscriminate attacks are:
 - (a) *those which are not directed at a specific military objective;*
 - (b) *those which employ a method or means of combat which cannot be directed at a specific military objective; or*
 - (c) *those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol;*

²³⁵ <https://elderofziyon.blogspot.com/2020/09/contrary-to-some-academics-claims-un.html>.

²³⁶ <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-33>.

²³⁷ <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977/article-51?activeTab=undefined>.

and consequently, in each such case, *are of a nature to strike military objectives and civilians or civilian objects without distinction.*

5. Among others, the following types of attacks are to be considered as indiscriminate:
- (a) *an attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects; and*
 - (b) *an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.*²³⁸ [emphasis added throughout]

The same article also goes on to explicitly prohibit the use of human shields, which is one of Hamas's main tactics in Gaza, as well as the wholesale and indiscriminate slaughter of non-combatants, without exceptions.

Moreover, UN Security Council Resolution 1566 (2004), adopted under Chapter 7 of the UN Charter and thus legally binding, condemns all acts of terror “irrespective of their motivation” and states explicitly that “criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or *taking of hostages ... are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.*”²³⁹ [emphasis added]

And finally, that same year, addressing these very issues, the UN's High-Level Panel on Threats, Challenges and Change determined that “there is nothing in the fact of occupation that justifies the targeting and killing of civilians.”²⁴⁰ UN Secretary-General Kofi Annan promptly affirmed the conclusion, stating, “As for the right to resist occupation, it must be understood in its true meaning. It cannot include the right to deliberately kill or maim civilians.” He went on to add, “The Panel calls for a definition of terrorism which would make it clear that any action constitutes terrorism if it is intended to cause death or serious bodily harm to civilians and non-combatants, with the purpose of intimidating a population or compelling a Government or an international organization to do or abstain from any act.”²⁴¹

²³⁸ <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977/article-51?activeTab=undefined>.

²³⁹ <https://press.un.org/en/2004/sc8214.doc.htm>.

²⁴⁰ https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/hlp_more_secure_world.pdf.

²⁴¹ <https://www.un.org/sg/en/content/sg/statement/2005-03-10/secretary-generals-keynote-address-the-closing-plenary-of-the-international-summit-democracy-terrorism-and-security-global-strategy-for-fighting-terrorism>.

You can't get any clearer than that.

Even *if* the establishment of Israel were unjust, indeed even *if* Israel were occupying Palestine either in whole or in part, international law would still proscribe the kind of attacks on civilians —or terrorism—that make up the lion's share of almost all Palestinian “resistance” activity.

“By any means necessary” is simply false.

Thus the Truth: The slogans that anti-Israelists invoke to justify terror attacks have neither a moral nor a legal basis. Their use involves the racist assumption that Israelis are purely evil and Palestinians have no moral agency, as well as the false assumption that Israel is “occupying” Palestine. More importantly, international law is unambiguously clear. On the one hand, civilians may not violently “resist” occupation. On the other, all civilians are to be protected from targeted violence without exception. Hamas’s barbaric massacre on October 7 was therefore both morally atrocious and a grave violation of international law.

Some resources

<https://casebook.icrc.org/>.

Bruce Hoffman, *Inside Terrorism*, 3rd ed. (Columbia University Press, 2017).

Ben Saul, ed., *Research Handbook on International Law and Terrorism*, 2nd ed. (Edward Elgar Publishing, 2020).

Concluding Thoughts

We've come a long way.

We've covered a lot of lies, sometimes getting into the weeds, as needed, to refute them.

Each lie is powerful on its own, designed to dehumanize and delegitimize both the Jews and the State of Israel. But the force of all of them together, combined into the False Narrative, is exponential. This False Narrative is taught to too many high schoolers and college students and is disseminated by too many of our key institutions, including the media. With the False Narrative having captured the minds of so many, the campus response to October 7 makes sense. *Of course* they would celebrate it, seeing it as a step toward the liberation of a marginalized people of color, the Palestinians, from the crushing oppression of the white supremacist Israeli Jews. *Of course* they would endorse it, and call for more of the same, in order to rid the world of the evil Israeli Jewish “settlers.” *Of course* they would disrupt classes and campuses, disrupt traffic, disrupt business as usual, build encampments, and take over buildings—because they are fighting to stop a *genocide*. Who *wouldn't* do those things to stop a genocide perpetrated by a demonic force that threatens to destroy everything that is good in the world?

The problem, then, isn't the campus mayhem per se (although such mayhem is against the rules and should have been sanctioned long ago). It runs deeper and is rooted in the academy itself. The problem is that these activists falsely believe that a genocide is occurring in Gaza, while misidentifying the true agent of genocide in the region. More generally, it's that they have adopted an entire unacademic narrative that is one-sided, oversimplified, ignorant of history, often counter to the facts, mistaken about who are the good guys and the bad, and driven, ultimately, by hatred and bigotry—and which licenses the outrageously immoral violence of October 7.

The minds of the anti-Israelists have been colonized by the False Narrative—by lies, Big Lies, Enormous Lies, that they've swallowed hook, line, and sinker.

How exactly this came about, particularly on campuses in North America and Europe, is a long story that I've written about elsewhere.²⁴² It involves many factors

²⁴² <https://legalinsurrection.com/2023/10/when-you-realize-nearly-everyone-in-your-university-wants-you-dead/>.

and many players, as well as the synthesis of the two-decades-long campus BDS campaign (orchestrated by the many chapters of Students for Justice in Palestine and now also by Faculty for Justice in Palestine) and the extreme progressivism currently dominant on US campuses, which has hijacked for its own antisemitic ends such ideologies as Critical Race Theory, Diversity, Equity, and Inclusion, and so on. Understanding all this is essential for determining how best to respond to it, a task that will be difficult and will require many resources and many supporters.

It will also take a long time, but it's clear now that it cannot wait.

According to a quote sometimes attributed to Voltaire, people who believe absurdities will soon commit atrocities. Whether he said it or not, it appears—frighteningly—to be only too true. Those who believed the Big Lies of the Nazis were soon committing the atrocities of the Holocaust. Those who believed the Big Lies of Hamas ideology proved themselves more than capable of committing atrocities on October 7. We have seen that there is a straight line connecting the Big Lies of the Nazis and the Big Lies of Hamas, running through the Mufti, the Muslim Brotherhood, and the *Protocols of the Elders of Zion*. In fact, these Big Lies are ultimately one and the same.

And together they constitute the False Narrative.

And this narrative is believed by far too many people on campuses and elsewhere—fellow students, professors, even staff and administrators—who responded to October 7 by endorsing or even celebrating the atrocities and calling for more of the same.

The time to act is now.

Appendix: “The Map That Lies”²⁴³

We’ll close with one more lie.

Circulating for many years now are variants of what, in pro-Israel circles, is known as “The Map That Lies.” The map (or set of maps) can be found everywhere: online, on campus “Apartheid Walls,” at bus stops, in the hands of Palestinian Authority President Mahmoud Abbas, and even in the *New York Times* as recently as 2021.²⁴⁴ It purports to show, succinctly and graphically, the Jewish “land-grab” of Palestine, thus making the Jews out to be violent aggressors and the Palestinian Arabs innocent victims. Here is one very common example of the map:

Figure 26: The Map That Lies²⁴⁵



In these four panels, the green represents “Palestine,” suggesting “Palestinian land,” while the white represents “Jewish land” that is subsequently incorporated into the State of Israel. According to the images, the Palestinians owned almost all the land prior to the establishment of the State of Israel; then, as the years go by, the Jews grab more and more of it and the Palestinians have less and less. Gripping and graphic, these maps illustrate the entire “False Narrative” in just a few panels.

²⁴³ Much of this section is inspired by Elder of Zion and HonestReporting. See <https://elderofzion.blogspot.com/2012/07/debunking-map-that-lies.html> and <https://honestreporting.com/debunked-those-maps-of-palestinian-land-loss-are-misleading-heres-why/>.

²⁴⁴ <https://honestreporting.com/debunked-those-maps-of-palestinian-land-loss-are-misleading-heres-why/>.

²⁴⁵ Ibid.

Except it's all a lie.

The first, leftmost panel is the biggest lie. It invites you to believe there was once a political entity called “Palestine” that belonged to the Palestinian Arabs, who then went on to lose it. But this was never the case. In 1946, the land fell under the British Mandate. It may have been called “Palestine” (as previously mentioned, a term the Arabs initially resisted), but it would be more accurate to describe it as being under the control of the United Kingdom. If the map is supposed to represent sovereignty, then *none* of the land actually belonged to the Palestinian Arabs or “Palestine.”

But perhaps the map doesn't represent sovereignty. The white area clearly does not represent areas of Jewish sovereignty prior to the establishment of the State of Israel but either privately owned Jewish land or areas where Jews lived. So perhaps the green area represents privately owned Palestinian Arab land or areas where Palestinian Arabs lived. But that is also clearly false. Most of the country was uninhabited at the time, including the enormous Negev desert. Also, the Arab population was then roughly double the size of the Jewish population, so the patches representing where they lived should be roughly double the size of those representing where Jews lived rather than taking up almost the whole map.

In fact, the map is even more misleading. The white sections do probably represent land privately held—purchased—by Jews. But at the time only a very tiny percentage of land in Palestine was privately owned. The land regulations dating back to the Ottomans are complex, but in fact the vast majority of the land, approximately 75%, belonged to the government. That is, it belonged to the Ottoman Empire and then to the British, who were overseeing it. This means not only that it did not “belong” to the Arabs in any sense but also that, when the State of Israel was established, the relevant part legally became Israel's.²⁴⁶

As of 1948, in other words, almost all that green should be labeled “Israel.”

Moreover, all this means that, prior to 1948, the Arabs inhabited or owned about two-thirds of all privately owned land in Palestine, or under 20% of the overall land. That is far less than the nearly 100% the map would have you to believe. It is also worth recalling that, had the Arabs accepted the partition proposal (rather than launching a war of extermination against the Jews) they would have had sovereignty over nearly 100% of the land that they actually owned or inhabited. Thus, as explained in the discussion of Big Lie #5, no land was ever “stolen” from the Palestinian Arabs.

²⁴⁶ For more details, see in particular https://zionism-israel.com/dic/Land_question_in_Palestine.htm.

Finally, the map also omits something else. Though the historical details are nuanced and contentious, many Zionists saw the area today known as Jordan as part of “Palestine,” and objected vigorously when “Transjordan” was not included as part of British Mandatory Palestine. In particular they were angered that, in being excluded, Transjordan was not to be part of the Balfour-promised (and League-of-Nations-confirmed) Jewish “national home” and that Jews were not permitted to settle there.²⁴⁷ From the Zionist perspective this amounted to England unilaterally carving off some 77% of Palestine and assigning it to the Palestinian Arabs. By omitting this fact, the map ignores that the Palestinian Arabs had already been given a huge share of the contested territory, leaving the Jews with less than a quarter of it at best. The maps make it look like the Jews greedily took over all the land. However, the part it omits reveals that it is actually the Arabs who are being greedy. Having already received most of the land, they still want to take it all, leaving nothing for the Jews.

Turning to the second map, this is a reasonably accurate representation of the 1947 UN partition proposal (apart from leaving out the fact that Jerusalem was supposed to become an international city). However, it still doesn’t represent reality in any way, because the Arabs rejected the proposal and went to war instead. Moreover, it obviously doesn’t represent land ownership or where people actually lived. Next to the first map it looks like the Jews had taken over more of the territory, but there was no substantive change in private ownership or residence patterns from 1946 to 1947! No land was “lost” between 1946 and 1947. And if the maps represent sovereignty, then a more accurate picture would show the Arabs having absolutely nothing in 1946 and then being offered a decent-sized chunk by the UN in 1947. An accurate map wouldn’t show land loss but land *acquisition*.

But they turned it down.

So, as of 1947, *no* land fell under the sovereignty of the Palestinian Arabs. The second map, suggesting otherwise, is a lie.

The lies continue with the third map. It purports to show the borders established between Israel and “Palestine” after the 1948 war. But there were no borders, only armistice lines. This was because the Arabs refused to accept a peace agreement that referred to these lines as borders, as that would have amounted to acknowledging the existence of Israel. But if these lines are not borders, then the green areas do not represent a state called “Palestine.”

Even more mendaciously, there is nothing “Palestinian” about the green areas. In 1948, Jordan captured, occupied, and attempted to annex Judea/Samaria, while

²⁴⁷ See <https://balfourproject.org/ianblack/>.

Egypt occupied the Gaza Strip. During the entire 19-year period from 1948 until 1967, there was no call to establish a Palestinian state on those territories. In fact, in its foundational charter, the PLO explicitly stated that it made no claim to Judea/Samaria, as it was interested only in “liberating” the entire territory of Israel. So if the third map represents sovereignty, or something close, the green area on the left should be labeled “Egypt” and the larger green patch on the right should be labeled “Jordan.”

Again, no “Palestine” at all.

Next up is a map that *ought* to be shown but isn’t, namely one from 1967 after the Six-Day War, a defensive war in which Israel captured all the remaining green territory, plus the Sinai Desert and the Golan Heights. On that map, Israel might be said to have sovereignty over the entire territory, with zero Palestinian Arab sovereignty over any areas.²⁴⁸ However, Israel never actually took this position, as it was willing from the beginning to return land in exchange for peace (as eventually happened in the case of Egypt). But the mapmakers have chosen to omit such a map, presumably because the fact that Israel *gave away* territory undermines the main narrative that Israel and the Jews are land-hungry aggressors.

The final map, dated 2012 in the version presented above but still relevant today, is actually the most accurate. It purports to show the contours of the areas under Israeli and Palestinian sovereignty following the signing of the Oslo Accords. If it represents sovereignty, then it’s reasonably accurate in the sense that it reflects who officially controls each area. But it’s still misleading in some ways. The white areas in Judea/Samaria suggest an Israeli presence there, but in fact these areas are mostly empty, even after all these decades. The actual footprint of the Israeli communities in Judea/Samaria (i.e. the actual presence of Israelis and especially Jews) only takes up approximately 2 to 3% of the land. But other than that the map is accurate enough.

It is also interesting to note that, if the map accurately represents the division of sovereignty, then it undermines one of the other lies. If the white area is Israel and the green area is Palestine, *then there is no “occupation.”* There are just two separate countries existing in close proximity to each other.

What is still misleading here, of course, is the conclusion the mapmakers would like you to draw. They would like you to conclude that the final map represents “all that is left” of Palestine, once big and green in 1946 and reduced to a small area of scattered splotches in 2012 (and today). What they leave out is that, following the

²⁴⁸ See the discussion of Big Lie #5 (“settler-colonialism”) above.

Oslo Accords, under which Israel withdrew from large parts of Judea/Samaria, and following the Gaza disengagement of 2005, in which Israel unilaterally withdrew from the entire Strip, *these areas actually came under the legal sovereignty of the Palestinian Arabs for the very first time.*

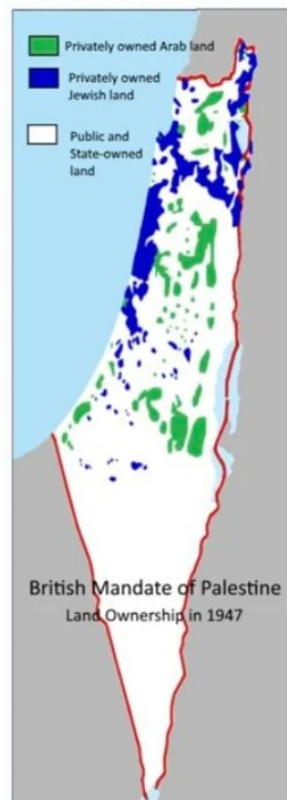
Rather than seeing these splotches of green as “all that remains,” they are the first official pieces of “Palestine” ever to exist.

All the earlier green is a lie.

*Thus the Truth: In closing, we present several alternative maps that, unlike “The Map That Lies,” reveal different aspects of the truth.*²⁴⁹

The first map provides a more accurate sketch of actual land ownership in 1947, unlike the first panel of the map above. You’ll notice splotches of blue (Jewish) and green (Arab), while the large white area represents land that was not privately owned.

Figure 27: Private Land Ownership in Mandatory Palestine²⁵⁰

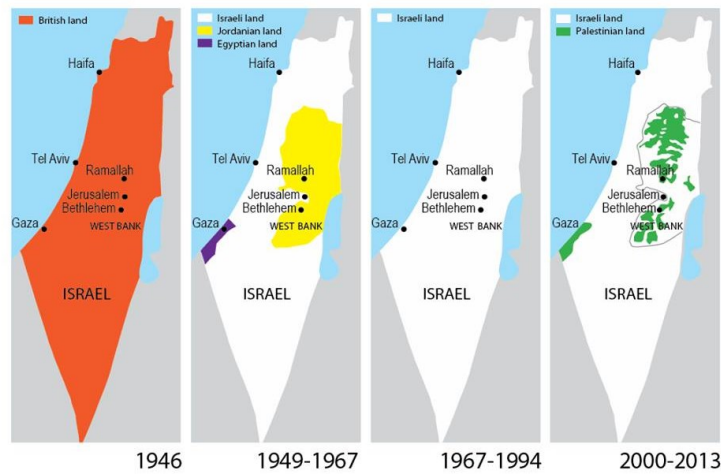


²⁴⁹ These I have found online over the years and do not always have the original sources to which to attribute them.

²⁵⁰ https://www.reddit.com/r/Maps/comments/173dc77/map_of_historic_territorial_changes_in_the/?rdt=38643.

The next map provides an accurate sketch of practical sovereignty over time, with the post-Oslo green areas representing the first official pieces of “Palestine.”

Figure 28: Palestinian Self-Determination



The next map could be called “The Map That Tells the Truth about Palestinian Sovereignty,” since it shows that it is only as a result of the 1993 Oslo Accords that the Palestinians officially gained sovereignty over any land.

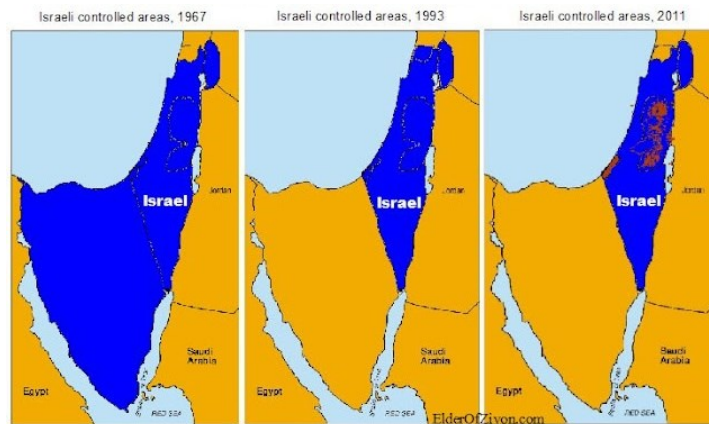
Figure 29: Palestinian-Arab Political Control²⁵¹



And here is a map that offers a different perspective, reflecting the concessions that Israel and the Jews have made as part of their tireless, decades-long efforts in the pursuit of peace.

²⁵¹ <http://www.thetower.org/article/the-mendacious-maps-of-palestinian-loss/>.

Figure 30: Israel's Territorial Concessions for Peace, 1967–2011²⁵²



But even this map doesn't provide a complete picture. Over the years, Israel has returned the Sinai twice and has withdrawn from Gaza, Southern Lebanon, and much of Judea/Samaria. It is perhaps the only state in world history to voluntarily give up two-thirds of the areas it controlled in exchange for little more than a peace agreement on paper. In practice, however, it has received Hamas, Hezbollah, the Second Intifada, and decades of terrorism in return for these concessions.

Finally, here is an essential map that helps frame the entire conflict. Anti-Israelists like to show maps depicting only Israel and the Palestinian territories, in which Israel looks quite big and the Palestinian territories appear small and scattered. Such maps, along with the expression "Israeli-Palestinian conflict," make Israel out to be a Goliath to the Palestinians' David. But a better map, in terms of understanding the wider context of the conflict, would be something like the one below, which shows Israel in comparison to the Arab world.

Figure 31: Israel and the Arab World²⁵³



Or this one, showing Israel in comparison to the Muslim world.

²⁵² <https://elderofziyon.blogspot.com/2012/07/debunking-map-that-lies.html>.

²⁵³ https://commons.wikimedia.org/wiki/File:Israel_and_Arab_states_map_n.png.

Figure 32: Israel and the Muslim World²⁵⁴



These two maps, along with my preferred term, the “Israeli-Palestinian-Jewish-Arab-Muslim-Iran conflict,” present an entirely different framing in which the identities of David and Goliath are clearly reversed.

As this essay goes to press, Israel is fighting a seven-front war that began on October 7, 2023, with Hamas’s terrorist invasion, and has seen missile and other attacks from Gaza, Judea/Samaria, Lebanon, Yemen, Syria, Iraq, and—most significantly—Iran, which is behind much of the aggression. Meanwhile, nations such as Qatar and Turkey fund and host Hamas, Egypt has enabled and profited from Hamas’s military buildup by failing to shut down smuggling tunnels into Gaza, and many other Muslim countries support Hamas and its allies either directly or indirectly.

All this indicates, once and for all, that the reverse of the original lie is true. It’s not the Palestinians who are being “erased from the map,” as “The Map That Lies” would have you believe.

Israel merely seeks to live in peace on a tiny sliver of land.

Its enemies are those who seek to erase it from the map altogether.

²⁵⁴ <https://www.uua.org/re/tapestry/youth/bridges/workshop14/leader-resource4>.

General Resources

Fact-checking of the anti-Israel bias of much of the media:

Committee for Accuracy in Middle East Reporting and Analysis,
<https://www.camera.org/>.

HonestReporting, <https://honestreporting.com/>.

Exposing the anti-Israel bias of many NGOs:

NGO-Monitor, <https://www.ngo-monitor.org/>.

Refuting many anti-Israel claims:

Apartheid Week Exposed, <https://apartheidweekexposed.org/>.

“Know How to Answer,” Parts 1-20, Elder of Ziyon (blog), December 2018–January 2019, <https://elderofziyon.blogspot.com/search/label/Know%20How%20to%20Answer>.

A.J. Caschetta, “IPT Series on Countering ‘Pro-Palestinian’ Propaganda,” Parts 1–6, Investigative Project on Terrorism, January–March 2024, <https://www.investigativeproject.org/9356/ipt-series-on-countering-pro-palestine-propaganda>.

Marc Greendorfer, “The True History and Legal Meaning of Colonialism in the Holy Land: The 2042 B.C.E. Project,” *International Journal of Law, Ethics, and Technology* 2 (2022), <https://www.ijlet.org/2022-2-1-55/>.

Gil Troy, “A Primer for the Perplexed: The Nine Big Lies against Israel and What They Really Mean,” *Jewish Journal*, November 9, 2023, https://jewishjournal.com/cover_story/364934/the-nine-big-lies-9-deceitful-phrases-used-against-israel-and-what-they-really-mean/.