

CounterPunch

JAN. 16-31, 2011

ALEXANDER COCKBURN AND JEFFREY ST. CLAIR

VOL. 18, NO. 2

Tremors in the Empire

By Alexander Cockburn

Tunisia and now Egypt see vast popular upsurges. The former's president flees; as I write, Mubarak clings on, even as Washington seeks an "orderly" transition to a reliable general. From Rabat to Riyadh, the air is electric with aroused political energy after decades of misery and oppression: a great awakening, indeed.

The custodians of Empire are right to be perturbed. Those crowds in Tunis and in Cairo, facing projectiles "made in America," know well enough the ultimate sponsor of the tyrannies against which they have risen. A belated chirp for "democracy" from Obama or Secretary of State Clinton will not purge that record.

But it behooves us to take a perspective longer than that opened a few short weeks ago by the revolt in Tunisia. We are witnessing a long process of decline. The attrition of the American Empire began not too many years after it seemed at its zenith, at the end of World War II in 1945.

There was a nasty jolt with the brief tenure in Iran of the nationalist Mohammed Mossadegh, at the start of the 1950s. Less than a decade later, Fidel Castro and his comrades entered Havana in January 1959, and, with its defeat at the Bay of Pigs not long thereafter, the U.S.A. "lost" Cuba – a hugely significant setback. A decade later, Libya saw Qaddafi's toppling of King Idris.

A far greater setback came in 1979, when the shah fled Iran and the Ayatollah Khomeini inaugurated Iran's Islamic Republic. In the same year, Carter and Brzezinski's onslaught, via the CIA-financed mujahideen, on the leftist regime in Afghanistan unleashed consequences that play out today in Afghanistan, the frontier provinces and

COCKBURN CONT. BOTTOM OF PAGE 4

Wikileaks on Gaza

U.S. Coached Israel on War Crimes

By Kathleen Christison

While attention currently centers on *al-Jazeera's* release of almost 1,700 documents dealing with Palestinian-Israeli negotiations, Wikileaks acquired documents in the thousands, dealing with other fundamental aspects of war and peace and oppression in Palestine-Israel. *CounterPunch* offers here three unpublished cables, recounting the visit to Israel of a U.S. assistant secretary of state in January 2010 to discuss reaction to the Goldstone Report on Israel's conduct during Operation Cast Lead in December 2008 and January 2009. They show the U.S. acting like a spin coach, suggesting ways in which the Israelis could deflect international criticism arising from the operation and the report on it. Justice Richard Goldstone, heading a fact-finding mission under the auspices of the U.N. Human Rights Council in the aftermath of the three-week Israeli assault on Gaza, issued a report in September 2009 that, while also criticizing Hamas actions, characterized Israel's conduct as "a crime against humanity." The Obama administration, as expected, condemned the report as one-sided and unbalanced.

Four months later, Assistant Secretary of State for Democracy, Human Rights, and Labor Michael Posner held extensive meetings with Israel's military leadership, Israeli political officials, and representatives of various Israeli and international NGOs. The U.S. was still pushing the line that the Goldstone Report was "fundamentally flawed" and Israel needed to burnish its tarnished international image. Posner provided some suggestions having to do with launching a better public relations effort because, as he said, he believed Israel had a "positive story to tell" and should tell it.

Perhaps the most striking aspect of the

several cables reporting on Posner's visit is the utter lack of concern shown for the awful human devastation caused by Cast Lead. Although countless commentators have written about Gaza in the aftermath of the Israeli assault, Philip Weiss of *mondoweiss.net* best described what had happened there in a posting the day after the release of Goldstone's report. Weiss believed Goldstone had captured not just the bare facts of the assault and its effects on Gaza's 1.5 million people, but the nearly apocalyptic horrors that Cast Lead had visited upon Gazans.

Weiss wrote that, when he visited Gaza himself in May-June 2009, four months after Cast Lead had ended and Gaza had been left by the international community to molder in the destruction with virtually no outside assistance, "the destruction was so overwhelming and the sense of arbitrary punishment so high that I found myself using the word 'persecution.' It was clear to me that these people had been targeted as a people; the assault was an effort to diminish their life spirit in every way possible, including destruction of the family unit." The persecution – a word he came back to – struck him, he wrote, as "biblical, something that you read about in one of the horrifying stories of the Old Testament."

Weiss found an echo of his sentiment in the Goldstone Report, noting, "The Goldstone mission saw the same Gaza I did." He quoted from the report: "Finally, the Mission considered whether the series of acts that deprive Palestinians in the Gaza Strip of their means of sustenance, employment, housing, and water, that deny their freedom of movement and right to enter and leave their country, that limit their access [to] a court of law and an effective remedy, could be considered persecution, a crime against

CHRISTISON CONTINUED ON PAGE 3

The Great Marginalization “Winning the Future” Obama-style

By Carl Ginsberg

It's not just President Obama who has left revenue out of the discussion for “Winning the Future,” the president's current slogan, deployed in several versions in his State of the Union speech. That's the lesson learned by Ed Ott, a senior lecturer at the Murphy Institute at City University of New York, who had the temerity to suggest that New York's fiscal condition might be addressed in some measure by a stock transfer tax. It is estimated that that tax alone would raise billions in funds – money critical to keeping essential services and jobs in place. Certainly, the notion that *some* revenue enhancement is appropriate to offset draconian cuts should be on the agenda.

But, in these times of fiscal crisis, the mere suggestion of raising revenue has been deemed far outside the terms of acceptable policy prescriptions in most places. Mayor Bloomberg, whose personal wealth is approaching \$20 billion, some of which is banked off-

shore, slammed the stock transfer tax. In *Crain's*, the Chicago-based business publication, Greg David lambasted Ott for the tax idea, reminding readers that a transfer tax was repealed in the late '70s as a result of “pressure from institutional investors” ready to leave NYC. David argued that in today's world of high-speed computer trading location is irrelevant. “The stock transfer is so outlandish,” wrote David, “that I wonder if labor leaders are really this clueless ...”

Ott, who has spent 40 years trying

In all, profits have been hitting the highest levels in over 60 years, when the government first started counting.

to establish and support living wages in New York City – against the backdrop of a city stuck for a decade in near-20 per cent poverty – is anything but clueless. Plainly, his comments were meant to shift the discussion away from cutting services to sharing wealth. Stock transfers aside, says Ott, is there *any* new tax that could be considered?

The capital strike – big and bold – that defines the Obama years, the massive accumulation of cash in the face of dire need and community collapse, is also off limits in the discussion about Winning the Future. Hardly a peep is sounded about the private accounts of wealthy individuals and cash held by nonfinancial corporations – something in the neighborhood of \$13 trillion – loads of money withheld by America's elites to ensure their Winning Future.

In all, profits have been hitting the highest levels in over 60 years, when the government first started counting. These gains are running in the 7 to 20 per cent range; 20 cents on the dollar is what venture capitalists are said to be seeking in their undertakings. The point of the strike is that the terms of investment

are a private matter, the central precept of this administration in word and deed. Nothing terribly new, but the amount of money sidelined now is tsunami-like in magnitude and the need equally great, which in sum makes the president's State of the Union remarks not much more than an obfuscation. What will it take to get at that money?

One answer, provided in an article the current *Atlantic Monthly*, entitled “The Rise of the New Global Elite,” explains that the Winning Future in store for most Americans is to live with less. “[P]eople in the middle class need to decide to take a pay cut,” writes Chrystia Freeland, quoting a 30-something CFO of a U.S. Internet company. Freeland's article on the thriving plutocracy is good reading, outlining the extravagances of the elites for whom a \$20 million annual income is grossly inadequate, barely enough to keep multiple residences heated and groomed. In stark contrast and despite impressive productivity gains, year after year, writes Freeland, “the vast majority of U.S. workers ... have missed out on the windfalls of this winner-take-most economy... The result of these divergent trends is a jaw-dropping surge in U.S. income inequality.”

Freeland cites economists Emmanuel Saez of Berkeley and Thomas Piketty of the Paris School of Economics who have calculated that 65 per cent of all income growth in this country went to the top 1 per cent of the population in 2002-07. After a brief pause, that trend resumed in 2009. And it's not just here. “Income inequality has also increased in developing markets such as India and Russia, and across much of the industrialized West...” she says.

What Ed Ott sees in New York City – outside the corridors of ostentatious wealth – is austerity and a place where inequality reigns. No wonder the debate needs to be contained. These facts portray a reality so harsh that any discussion might lead to people here hitting the streets, as they have in Greece, England, Tunisia, Yemen and Egypt. We may not be talking about the trillions being withheld, but we know what's being denied – a secure place in today's world. And that's not a formula for Winning the Future.

CP
Carl Ginsburg is a journalist in New York City. He can be reached at carlginsburg@gmail.com

CounterPunch

EDITORS

ALEXANDER COCKBURN
JEFFREY ST. CLAIR

ASSISTANT EDITOR

ALEVINA REA

BUSINESS

BECKY GRANT
DEVA WHEELER

DESIGN

TIFFANY WARDLE

COUNSELOR

BEN SONNENBERG
1937-2010

CounterPunch

P.O. Box 228

Petrolia, CA 95558

1-800-840-3683

counterpunch@counterpunch.org

www.counterpunch.org

All rights reserved.

CHRISTISON CONTINUED FROM PAGE 1

humanity.”

Against these accounts, which show a human recognition of the massive scale of Cast Lead and the full scope of its destruction, Posner’s accounts of his meetings with Israel’s leaders are coldly pragmatic and mechanical – and go to considerable lengths to show sympathy for Israel’s position. After holding extensive meetings over two days with Israel’s top military brass, Posner concluded, “Overall, the IDF presented a convincing case that it is dealing seriously with these issues and that the IDF exerts more energy trying to minimize civilian casualties than almost every other military in the world.”

This conclusion and its ringing endorsement of Israeli conduct during and after the operation show an astounding disregard for the truth. For one thing, the glaring reality was that the Israelis killed, and knew they were killing, hundreds of civilians in Gaza. Gaza is one of the most densely populated places on earth, with 1.5 million people living crowded in an area smaller than 140 square miles; even IDF officers referred to it repeatedly during the talks with Posner as an “urban area.” During Cast Lead, Gazans had no way to flee the onslaught, as borders were closed and Israel’s virtual carpet bombing of the entire territory left no place untouched.

It cannot be possible to direct the firepower Israel launched against Gaza for over three weeks on an “urban area” without knowing in advance that civilians would be killed in huge numbers. All estimates are that well over half of the 1,400-plus Gazans killed were civilians. At least 25 per cent of the dead were children – a conservative number in a population of which more than half are minors. Howard Zinn wrote in 2006, referring to both U.S. and Israeli military operations, that if one deliberately drops a bomb on a civilian target, the deaths of innocent people are “inevitable” and “if a military action will *inevitably* kill innocent people, then that action is as *immortal* as any ‘deliberate’ attack on civilians” [emphasis in original].

This is clearly a moral truth that escaped Michael Posner who, it’s worth noting, spent a career in the field of human rights before becoming an assistant secretary of state.

Considerable testimony from Israeli

soldiers since Cast Lead ended, including well before Posner began his spin exercise, has shown clearly that the Israelis deliberately intended to kill civilians and knew they were doing so. On January 26 this year, UK Channel 4 broadcast a story about a video made by a dissident Israeli filmmaker that shows Israeli soldiers talking about their mission in Gaza. One tank commander said he was told the night before the operation began that the assault was to be “disproportionate.” He was instructed, unambiguously, to “cleanse the neighborhoods, the buildings, the area.” Noting that he was choosing his words carefully, he acknowledged that “It sounds really terrible to say ‘cleanse,’ but those were the orders.” Even without benefit of this particular film, Posner should have been aware, well before his mission to Israel a year after

Perhaps the most striking aspect of the several cables reporting on Posner’s visit is the utter lack of concern shown for the awful human devastation caused by Cast Lead.

the operation concluded, that “cleansing” was the principal Israeli mission in Gaza and “disproportion” was the means.

Furthermore, although Posner affirmed his belief that the IDF was “dealing seriously” with the “flawed” Goldstone Report’s allegations, a year had passed since the conclusion of Cast Lead by the time he met with his Israeli contacts, and the IDF had done nothing. Posner himself urged the Israelis to begin an investigation in the wake of international criticism of Israeli conduct – criticism that he deemed “biased and disproportionate” – specifically in order to “help change the debate internationally.”

It is a supreme irony that, when the IDF did finally issue its own investigative report on the Goldstone allegations in July 2010, it acknowledged more than 20 of Goldstone’s most dramatic citations of war crimes against civilians. Unsurprisingly, the report was not widely publicized. The IDF report promised for the future to institute “operational changes in its orders and combat doc-

trine” in order to “further minimize civilian casualties and damage to civilian property.” This circumlocution is an implicit acknowledgement that, despite its protestations in public and to Posner that Israeli forces had taken “all feasible precautions” to avoid killing civilians, its operations and its basic combat doctrine had not, in fact, followed those precautions. As one Israeli blogger observed wryly, the Israeli approach was one of “I didn’t do it but will try harder next time.”

One wonders if Posner ever got it. Throughout the meetings, the Israeli generals nitpicked and rationalized, and Posner never challenged or seriously questioned them, asking only that they conduct a review of policies that would enhance Israeli credibility internationally and increase understanding of “the real challenges that democratic states face fighting asymmetrical conflicts with terrorist organizations.” In other words, the task was to find some kind of rationalization for killing civilians while still claiming to be a democratic state. Evidently, this remains the U.S. position. During a State Department press conference just days ago, picked up by Mondoweiss,

Subscription Information

Subscription information can be found at www.counterpunch.org or call toll-free inside the U.S.
1-800-840-3683

**Published twice monthly
except July and August,
22 issues a year.**

1 - year hardcopy edition \$45
2 - year hardcopy edition \$80
1 - year email edition \$35
2 - year email edition \$65
1 - year email & hardcopy edition \$50
1 - year institutions/supporters \$100
1 - year student/low income \$35

Renew by telephone, mail, or on our website. For mailed orders please include name, address and email address with payment, or call 1-800-840-3683 or 1-707-629 3683. Add \$17.50 per year for subscriptions mailed outside the U.S.A.

Make checks or money orders payable to:

CounterPunch
Business Office
PO Box 228, Petrolia, CA 95558

spokesman P. J. Crowley was still criticizing the Goldstone Report because it “significantly complicated and retarded” peace efforts – the idea apparently being that it was unfair to Israel and made Israel unwilling to move forward on U.S. requests for a settlement freeze.

Israel’s own basic disregard for human rights and international humanitarian law – and, by extension, the disregard of the United States – were exposed throughout these meetings. Coincidentally, the Palestine Papers just released by *al-Jazeera* reveal the underlying Israeli attitude toward the body of international law meant to regulate the conduct of occupying powers and parties to war. During a meeting with Palestinians in November 2007, then-Foreign Minister Tzipi Livni, who had earlier served as Israel’s justice minister, declared, “I am a lawyer ... But I am against law – international law in particular. Law in general.” **CP**

Kathleen Christison is a former CIA political analyst and the author of several books on the Palestinian situation, including *Palestine in Pieces*, co-authored with her late husband Bill Christison. She can be reached at kb.christison@earthlink.net

COCKBURN CONTINUED FROM PAGE 1

Pakistan’s heartland – none of them welcome to Empire.

Politically outmaneuvered and militarily checked in Iraq, the United States is now in the midst of rapid withdrawal. Iran is now hugely influential in Baghdad. Just two U.S.-owned oil companies – Exxon and Occidental – now lease concessions on Iraq’s gigantic reserves. Iran, Iraq and Saudi Arabia are, so to speak, the crown jewels, when it comes to oil reserves. The Empire has effectively lost Iran and Iraq. What of Saudi Arabia? Already Yemen is shaky. Suppose fissures open up in the Kingdom itself!

I doubt, at such a juncture, that we would hear too much talk from Washington about “democracy” or orderly transitions. The Empire would send in the 101st Airborne, even as Osama bin Laden heads west from the Hindu Kush and the dollar plummets south. That would be more than a tremor. It would be an earthquake. **CP**

Excerpts from Three State Department Cables disclosed by Wikileaks

9330 SECRET

S E C R E T SECTION 01 OF 07 TEL AVIV 000182 SIPDIS E.O. 12958: DECL: 01/26/2020

1. Summary: Assistant Secretary for Democracy, Human Rights, and Labor Michael Posner held extensive meetings January 6 and 7 with IDF Chief of Staff LTG Gabi Ashkenazi, J5 Chief Major General Amir Eshel, IDF Southern Commander Major General Yoav Galant, IDF Judge-Advocate General Brigadier General Avichai Mandelblit, Israel Air Force Commander Major General Ido Nehushtan, Strategic Division Command Brigadier General Yossi Heymann, and former IDF intelligence chief BG Yuval Halamish who heads the IDF’s Goldstone Committee. The meetings reviewed legal and operational issues related to IDF activities during Operation Cast Lead, as well as specific incidents of alleged Israeli IHL [International Humanitarian Law] violations during the fighting.

Posner’s interlocutors agreed that mistakes had been made at times by Israeli soldiers and reported that, although it was too early in the investigatory process to draw firm conclusions, that internal investigations would likely result in accountability for some soldiers involved -- either criminal prosecutions or disciplinary action... Overall, the IDF presented a convincing case that it is dealing seriously with these issues and that the IDF exerts more energy trying to minimize civilian casualties than almost every other military in the world....

3. During these meetings, A/S Posner stressed the purpose of his visit was to “listen and learn” from Israeli interlocutors, and to confer about how the Government of Israel could most effectively tell its “story” regarding Operation Cast Lead to the international community. He said the United States is attempting to encourage a responsible debate within a complex multilateral landscape, and acknowledged the GOI’s concerns regarding biased and disproportionate criticism of Israeli actions during Cast Lead.

A/S Posner said Washington understands the distinction between human

rights law and international humanitarian law, stressing that the latter is the legal regime applicable to situations of armed conflict such as during the Israeli Cast Lead operation in Gaza. He noted that the United Nations and many state members of the Human Rights Council, however, want to apply human rights law, and not IHL, to the Gaza conflict, which he described as “wrong-headed.”

4. A/S Posner said the United States understood the complexities of operating in a densely populated area while facing an asymmetric threat. He stressed the importance of changing the public debate to better reflect a changing world in which tough decisions were made in the face of these asymmetric challenges.

A/S Posner said responding to the specific allegations contained in the Goldstone Report would be important, but that the GOI [Government of Israel] could also usefully make clearer the steps it is already taking to examine its operational decisions and rules of engagement.

5. (S) Senior IDF officials expressed frustration that world opinion appeared set against Israel, despite the numerous measures the IDF took to protect civilians while facing an enemy that deliberately targeted civilians by basing their operations and hiding articles of war within densely populated urban areas. IDF Chief of Staff LTG Ashkenazi described his job as protecting Israeli civilians, using the most precise weapons possible to take out threats. He argued that terrorists deliberately target Israeli citizens from urban areas because Israel is bound by legal norms that deny the IDF the ability and capability to effectively attack enemy targets.

6. (S) Air Force Commander Major General Nehushtan lamented the difficulty of conveying to modern civil societies the complexity of non-conventional warfare. He noted that Hamas and Hizballah were targeting civilians from within civilian population centers. The difference, however, was that Israeli citizens were deliberately targeted – “they know that our citizens are our soft underbelly.”

7. (S) MG Nehushtan and MG Eshel also outlined the many measures the IDF took to reduce collateral damage. Eshel said the IDF put more limitations on its opera-

tions than any other military – “we cannot allow ourselves to make some of the mistakes (leading to civilian casualties) that the United States and the United Kingdom have made.” Nehushtan noted the IAF’s sole use of precision munitions, the accuracy of which was now measured in meters, and the IDF’s monitoring of the presence of civilians through real-time video feeds. He cited IAF pilots’ authority to use their own judgment on aborting missions, and outlined procedures such as “roof knocking” that seek to encourage civilians to evacuate each targeted building – a procedure he claimed was not used anywhere else in the world.

In Operation Cast Lead, Nehushtan said the IAF had 99 percent success rate for hitting targets, had destroyed accidentally only one house due to a mistaken target, and required evidence of the evacuation by civilians of all targeted houses before final approval to fire was given. BG Halamish added that the IDF made over 250,000 phone calls to evacuate houses – a process also unprecedented in the world. Nehushtan also noted that the IDF had improved from 1:1 to 1:10 the civilian to terrorist casualty ratio in the past ten years in its attacks on terrorist indirect fire teams, due partly to IDF procedures that call for diverting missiles if the intended targets come near civilians.

Nehushtan admitted, however, that IDF artillery and tank units did not follow the same procedures and caused most of the Palestinian civilian casualties in Cast Lead.

20. (S) A/S Posner accepted the argument that a military should be responsible for its own investigations and discipline. He reiterated, however, the utility of telling Israel’s story from an outside point of view – independent voices to deliver the message in a way that is credible....

9331 CONFIDENTIAL

CONFIDENTIAL ... POSNER DISCUSSES GOLDSTONE REPORT WITH SENIOR ISRAELI OFFICIALS

2. (C) A/S Posner met with Deputy Prime Minister and Minister for Intelligence and Atomic Energy Dan Meridor, along with MFA Deputy Director General for North America Barukh Bina, on January 7. Meridor said he had called early on for a committee of inquiry, not because he did not have confidence in IDF procedures, but because Israel needed a process that

would minimize its exposure to investigation by international actors, particularly by the ICC and countries that apply universal jurisdiction. It was important, he said, that Israel be seen as a country that is moral and reflects upon and investigates its actions, and he lamented that the Goldstone Report damaged Israel’s credibility in this regard.

3. (C) Meridor explained that the GOI understood the urgent need to formalize a plan to respond to the Goldstone Report, but nothing had been agreed to yet.

4. (C) A/S Posner assured Meridor that the USG understood IDF concerns about having its conduct investigated by international bodies, as well as its concern that such investigations could set a precedent for each future conflict. He noted the international community would be looking for two elements in the GOI response to Goldstone’s report. The first would involve the IDF making known its concluded investigations and an update on the status of ongoing investigations. The second would involve an examination of GOI processes and IDF doctrine issues. He advised that the GOI’s presentation of its response was very important, given the lack of a compelling public narrative so far to compete with the Goldstone report’s flawed one.

He encouraged the GOI to reach out to otherwise friendly countries that are on the fence, including the British, Dutch, and Chileans.

A/S Posner also suggested that the GOI look closely at working with independent third-party “validators,” to include sometime skeptics, who could vouch for the seriousness of GOI’s investigatory process. DEPUTY ATTORNEY GENERAL MATIAS

11. (C) A/S Posner met with Deputy Attorney General Matias on January 6 to discuss strategies for dealing with the Goldstone Report. Matias offered that the IDF’s position was understandable regarding the allegations in the Goldstone report, and expressed outrage at the report, calling the charges “unconscionable.” She said Israelis would have looked seriously at the criticisms if the report had been more balanced, but that these allegations were “not even answerable.” Matias lamented that Goldstone’s reputation lent credibility to a report that she questioned he had completely read. She stated that Israel had an obligation to investigate charges, and was doing so aggressively...

9332 CONFIDENTIAL

(C) DRL Assistant Secretary Michael Posner discussed the Israeli response to the UN Goldstone Report with human rights organizations, the International Committee of the Red Cross (ICRC), UNRWA, the UN Secretariat’s Office for the Coordination of Humanitarian Affairs (OCHA), and legal and academic experts on the margins of his official meetings with the GOI and IDF during the week of January 5-9. All agreed on the need for an independent commission to review the credibility of IDF investigations, which have not yet become public. Several interlocutors said the government’s focus should be primarily on identifying lessons learned from Operation Cast Lead and ways to improve military doctrine and wartime humanitarian coordination. The human rights NGO representatives, however, called primarily for accountability at the highest levels in the IDF and political leadership, arguing that internal IDF investigations alone could not address the main issues enflaming international opinion from Israel’s Operation Cast Lead in the Gaza Strip last year.

3. (C) Limor Yehuda of the Association for Civil Rights in Israel (ACRI) argued that military police investigations could not resolve the main issues of how Israel conducted the military operation, including its targeting and policy decisions. While she rejected Goldstone’s tone and claim that Israel deliberately targeted civilians during the hostilities, she believed only international pressure could influence the GOI to create an independent investigation that could hold senior leadership accountable for alleged violations of International Humanitarian Law (IHL) during the armed conflict. Yehuda stressed that her requests to the Attorney General to open an independent investigation were solely based on IHL principles of distinction and proportionality and did not make the Goldstone Report’s mistake of confusing IHL with Human Rights Law, as IHL is the relevant body of law that applies in situations of armed conflict. Yehuda was also disappointed that there was still no Israeli public discussion of lifting the “blockade” on Gaza, which she described as being a purely punitive measure since Hamas’ 2007 takeover.

4. (C) Human rights NGO B’tselem director Jessica Montell, who had submitted 20 cases regarding Operation Cast Lead to

the Attorney General that resulted in 8-9 military investigations, also said B'tselem would like to see changes at senior levels of the GOI that could never be achieved by an internal IDF investigation. She wanted the highest level decision-makers held accountable for the decisions they made on how to prosecute the conflict, including Military Advocate General (MAG) Mandelblit for his role in advising on the suitability of targeting typically civilian structures, such as the Hamas police force, which suffered heavy losses during the first hour of hostilities. She recognized the difficulty of pursuing a criminal track as she believed all levels of the IDF and GOI were involved and the public remained highly supportive of the operation, but she at least wanted to see prohibitions on the types of weapons used in urban environments, such as white phosphorus and mortar shells. She also sought greater clarity on proportionality, as there appeared to be "no moral check on war" when Israel allegedly dehumanized those in Gaza and "had zero tolerance for IDF killed," which she claimed transferred risk onto civilians in Gaza. Her aim, she said, was to make Israel weigh world opinion and consider whether it could "afford another operation like this

5. (C) A/S Posner met January 6 with ICRC Israel delegation head Pierre Wettach, deputy Pierre Dorbes, and Legal Advisor Cordula Droege. ICRC had submitted its own confidential "Conduct of Hostilities" report in June 2009 to the GOI. The report, Wettach said, addressed legal issues, operational issues and possible IHL violations that occurred during Operation Cast Lead. ICRC hopes to engage the IDF on legal and operational policy issues related to these incidents, such as proportionality, weapons use, and the distinction of combatants from non-combatants. According to Wettach, there were fundamental disagreements between the IDF and the ICRC regarding distinction: for the IDF, for example, Hamas police were a legitimate target at all times; for the ICRC, a policeman who was not engaged in hostilities against Israel was not a combatant.

Another disagreement was the targeting of civilian infrastructure. For the IDF, according to Droege, open agricultural land might be a legitimate target because at some point in the future it could be used for firing rockets at Israel; for the ICRC, this was a highly problematic assumption.

Spirit of Revolt Rekindles in France **Resistance and Stéphane Hessel**

By Larry Portis

Like every roughly defined "national culture," that of the French is full of contradictions. It's one of those things that make it interesting to be alive, but it also means we take a chance with fairness whenever we say that such and such people are like this or that. A lot depends on whom we are talking about.

As far as the French are concerned, I generally quote Voltaire, so as not to incur anybody's wrath – few would dare challenge him. So, this is what one of the greatest of Enlightenment philosophers said about his compatriots. The French,

What happened to the innate elegance of French people, and their love of cultivation? Difficult to imagine how the French could have elected such a vulgar parvenu, a mafia-like chieftain who walks like a duck.

he said – *in Candide* – are most interested in doing three things: eating, making love, and criticizing other people. Here is an affirmation that few would deny, even if the statement incites pride for some and disgust or envy for others.

Another generalization about the French is that they have fallen upon bad times. Already in the 1980s they were said – by the middlebrow chronicler of France, the late John Ardagh – to be "turned in on themselves." Moreover, the definitely highbrow Perry Anderson of *New Left Review* then called France "the most reactionary country in Europe." And if you see many of the typically self-absorbed French films, you understand what they mean. Although French self-centeredness has, perhaps, always been a national characteristic, the syndrome

seems to have reached a critical point in recent years. For some time now, it has been common to hear that the French are morose and turning around in confused circles.

Why are the French morose? Which ones are and which are not? Is it – as a very astute French resident in Canada recently wrote me – that the French are tired, worn down by an uncertain social environment, in which unemployment, loss of social gains and a largely uncompetitive economy have traumatized an increasingly depoliticized population?

How to explain the rise of Nicolas Sarkozy, generally known to the French as the "bling bling president," referring to his taste for cheap flash? And here we can observe that at least the French have not lost the passion for criticizing each other. But still, what happened to the innate elegance of French people, and their love of cultivation? Difficult to imagine how the French could have elected such a vulgar parvenu, a mafia-like chieftain who walks like a duck and speaks like a vulgar ... well, let's drop it. No use aping the French.

Recently, on the *Counterpunch* website, on January 27, 2011, Tariq Ali called attention to the mock trial of Bernard-Henri Lévy held in the "9-3," the proletarian department of the Seine-St. Denis. Indeed, this aging New Philosopher deserves every morsel of ridicule and opprobrium that can be tossed against his pretentious and mendacious hide. Lévy is famous for his open-collared white shirt and for parlaying ambition backed by his inherited personal wealth into media stardom. My only reservation is that this focus on such media-driven icons of the locked-up ideology machine tends to distort the tension-filled contradictions comprising what we might call "public culture" in contemporary societies.

Here is an example: the two current bestsellers on the French book market.

On the one hand, we have the latest novel by Michel Houellebecq, *La Carte et le Territoire* (The Map and the Territory, 2010), propelled to banner sales by re-

ceiving the most prestigious literary award, the Prix Goncourt. Houellebecq is the self-styled bad boy of contemporary French literature. Whatever he writes is ultimately about himself, but he cleverly weaves his narcissistic preoccupations in and out of current concerns, like the fear and hatred of Islam, the decline of the West and disgust with the Other. Sporting a beat-up parka and a disheveled, wasted look for the fans, he nevertheless has embarked on expensive hair transplants. He currently lives in Cork, Ireland, where he pays far fewer taxes on his phenomenal royalties.

In October 2008, Houellebecq and Bernard-Henri Lévy published together some “conversations” about themselves – titled “Public Enemies.” It was a media operation, best left undescribed and unexplained. A hundred thousand copies were on sale in supermarkets that, mercifully, seem to have left no trace.

Posing as disgusted with contemporary society, Houellebecq nevertheless profits well from his wealth and professes great admiration for President Nicolas Sarkozy and his wife, Carla Bruni, the fatuous ex-model and pop star groupie who seized the main chance in latching on to Lilliputian Nick in the weeks following his divorce in 2008. (For those who may wonder at my nastiness when referring to this pampered, seemingly clueless daughter of one of the richest Italian families, I invite you to see and listen to her version of “Nobody Loves You When You’re Down and Out.” Go to YouTube for this, and you might compare her soul with that of Bessie Smith.) At any rate, after he collected his prize, Houellebecq was invited to a cozy dinner by the presidential couple.

But let’s be fair. France is a country where people still read books, and most know that these literary prizes are not on the up and up. The juries are cherry-picked and nothing but deals are made behind the scenes. Reception of the Prix Goncourt means overnight sales of hundreds of thousands of copies. It’s a corporate thing. Still, and this is my point, in a country where people read a lot, there are also bestsellers that seemingly come out of nowhere, that are rooted in the aspirations of the populace in a way that escapes control by the mind managers and the merchandizing mavens. Here is the other side – the hidden side – of French intellectual life.

The most recent example of a best-seller chosen by the people and not by the managers of the media-driven star system is Stéphane Hessel’s work, titled *Indignez vous!* (Get Indignant! 2010). This little book – or pamphlet, given its 32 pages – was published in late 2010, in six weeks sold almost a million copies. In fact, Hessel’s text includes only pages 9 through 22 – the rest is a few pages of editor’s notes and an afterword, plus some more page padding. Of course, it’s not every year that such a nonbook published by a quite unknown publisher – one with no previous success and no marketing budget to speak of – pulverizes the most hyped books of the major publishers.

So who is Stéphane Hessel? Why have so many French people elevated him to sudden stardom and in six weeks bought almost a million copies of his little book ex-orting them to break the law and to rise up, albeit non-violently against what Hessel considers an illegitimate government?

So who is Stéphane Hessel – this literary phenomenon? Why have so many French people elevated him to sudden stardom?

If you are expecting the discovery of an amazing new talent, I’m almost embarrassed to respond. Hessel is a 93-year-old former diplomat, who has worked for the U.N. and for a succession of French governments. He has published a few books, but only since he turned 80 – his memoirs, a book of poems, some “conversations” with someone else, but nothing that brought him to general public attention. Hessel has lived a distinguished and, I would say, highly dignified life. He played an active role in the French Resistance, was arrested and transported to Nazi concentration camps, narrowly avoided being hanged on two occasions, escaped, and then joined the allied forc-

es. Before the war, he studied politics and philosophy in Paris and at the London School of Economics. Originally of German nationality, he became a naturalized French citizen in 1937. His mother, Helen, was the scandalous woman immortalized by François Truffaut’s film *Jules et Jim* (1962), based on the 1953 novel by Henri-Pierre Roche. In the film he is played by a little girl. After the war, he entered into administrative and diplomatic service, becoming a specialist on human rights.

So, why has he become famous? It has only been since last year, when he was seen in a low-budget documentary film about Walter Bassam, another member of the Resistance. The film is titled *Walter: Retour sur la résistance* (Walter: Return to the Resistance, 2009). A young, provincial documentary filmmaker – Gilles Perret – made it. To date, Perret has only made films about his mountainous region of the Haute-Savoie. Walter is an interesting resident, and Perret thought a filmed record of him should be made, but he had no great expectations for his film. Walter is, indeed, an admirable person. He also was arrested by the Gestapo, at age 16, and sent to a concentration camp in Germany to die. Like Hessel, he also survived and continued to speak out. Walter is a friend and not-too-distant neighbor of the leftist British writer John Berger, as they both live in the Haute-Savoie.

Hessel’s popularity owes itself to the film, but the film became known accidentally thanks to Nicolas Sarkozy. What happened is that Sarkozy went to the Resistance memorial on the Glières Plain, where each year a ceremony honors the memory of those, including two Spaniards, who died fighting the fascist occupiers. Sarkozy had his sound bite – all he was interested in – and then self-consciously spoke with some of the people in attendance. He didn’t seem to realize that Perret’s camera was still turning.

Clearly knowing nothing and caring nothing for the Resistance, Sarkozy talked trash, saying, for example: “Great! I like the Spanish. But the Italians are pretty good too ... now that I’m married to one, huh?” Seeing a young man in uniform, Sarkozy improvised: “Hey, the mountain guide is handsome. Did you know that I was young once myself?” Silent consternation is the reaction of

CounterPunch

PO Box 228
Petrolia, CA 95558

Don't Forget! Phone 1-800-840-3683 to make your annual donation for the CounterPunch Fund drive!

1st Class

Presort
U.S. Postage
PAID
Permit No. 269
Skokie, IL

First Class

return service requested

those in hearing distance. Then an aged, uniformed resister says to the chief of state, "We refused to leave the fallen resistance fighters in unmarked graves, so we brought them here to lie in dignity." Sarkozy looks around nervously and, in response, his gaze fixed on a mountain ridge, says: "Look at that waterfall." He then walked away, saying: "Well, nothing wrong in having a little fun..."

After Sarkozy left, lesser-known dignitaries said a few words to the assembled crowd. One of them was Stéphane Hessel. In his brief remarks, he congratulated those of the wartime Resistance and those today who "prefer legitimacy to legality, those who prefer fundamentally progressive values to the dubious legality of such and such government." What citizen resisters must do, he said, is to create solidarity networks such as those which defend and protect the right of children of immigrants and refugees to be educated despite laws that limit their rights to an education and to live without the fear of persecution, because they do not have residence permits. After these remarks, Hessel was filmed speaking to a young girl from Kosovo. The sensitivity

and warmth of this man cannot be more contrasted with Sarkozy's cynicism and lack of culture. And this is undoubtedly why Gilles Perret's film had such unexpected success.

Hessel's published text – *Indignez vous!* – is a slight elaboration of his spoken remarks at Glières. He says being indignant is necessary for everyone. Only by being

The sudden stardom of 93-year-old Stéphane Hessel may be a harbinger of something dramatic.

indignant can we live with dignity. Of course, indignation should be followed by action, he insists. For him and for everyone else the indignation is different. His indignation presently concerns three things: the disparity between wealth and poverty; the lamentable state of human rights and condition of the planet; and the injustice and cruelty inflicted on the Palestinians by the Israeli state. He says in passing: "You have to be Israeli to call

nonviolent action terrorism." In contrast, Hessel calls for "nonviolent insurrection."

So, the question is – why have a million French people gone to a bookstore to buy a pamphlet exhorting them to break the law and to rise up, albeit nonviolently, against what Stéphane Hessel clearly considers an illegitimate government? There is something happening in this country.

Not long ago, in early 2009, in the French department of Guadeloupe, a general strike shut down the island for weeks. In fall 2010, there were sometimes 3 million people in the streets at one time in France. In early 2011, there are nonviolent insurrections in Tunisia and Egypt. Let us not be deceived by appearances. Intimidation, manipulation and humiliation can long endure but not forever. The sudden stardom of 93-year-old Stéphane Hessel may be a harbinger of something dramatic. **CP**

Larry Portis has just published *Qu'est-ce que le fascisme? Un phénomène social d'hier et d'aujourd'hui* (What is Fascism? A Social Phenomenon Yesterday and Today). He can be reached at larry.portis@orange.fr