

PALESTINE PALESTINIANS & INTERNATIONAL LAW



Francis A. Boyle

Boyle, Francis A.: *Palestine, Palestinians and International Law*. Clarity Press, Atlanta 2003. 205 pp. ISBN 0-932863-37-X

The Near and the Middle Eastern regions have the greatest potential to affect world peace. The cause of this danger lies in the actions of two democracies, the United States and Israel, which are acting as occupying powers oppressing two indigenous peoples. Since 2003 the U. S. and a "coalition of the willing" invaded Iraq and made the country a hotbed of international terrorism, which they pretended to fight. Since 1967 Israel has been occupying the Westbank, the Gaza-Strip, the Golan-Heights and East-Jerusalem against inter-

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Buchbesprechungen

national law. Almost all analysts and commentators agree that a solution to both conflicts lies in the withdrawal of foreign troops from occupied territories and in case of Palestine in the establishment of a viable state for the Palestinian people alongside Israel.

Francis A. Boyle, professor for international law at the university of Illinois at Champaign, acted also as an adviser to the PLO and the Palestinian delegation which negotiated from 1991 to 1993 under the auspices of Haidar Abdul Shafi in Washington with Israel. He is one of the few law professors who speaks out openly against Israel's occupation. This solidarity with the Palestinian people caused him severe problems. He has been treated as an outcast among the fine society of the American law community. But not only his American countrymen gave him in any respect a hard time but sometimes also some Arabs. One of his articles in the American-Arab Affairs magazine was not published due to pressure from the Arab Gulf States which financed this publication.

"Over the last 25 years of my public advocacy of the rights of the Palestinian people under international law, I have lost track of the number of times when my lectures, panels, publications, and appearances have been disrupted, interfered with, or killed outright. But this was the first time that my pro-Palestinian viewpoints had been suppressed by an Arab source. It would not be the last such incident."

In the German political community the discussion on Israel and Palestine seems like people speaking about the moon. This holds true also for some political scientists. They do not reflect critical foreign publications like Boyle's book or books published in the United Kingdom. Therein reality takes place not invention. Perhaps nobody in the German speaking world has ever read the far-sighted "Memorandum of law" by Boyle which was written for the Palestinian delegates to the Middle East Peace Negotiations in 1992. This document is a serious proposal for a lasting

peace not like the Oslo accords which were documents of permanent subjugation. On the motives of the US- and the Israeli-Government the author writes:

"That is exactly why they want you to sign an Interim Agreement without any understanding on a Final Settlement, including Jerusalem. They do not want the Interim Agreement to succeed. Rather, they want the Interim Agreement to become the 'final solution' to the Palestinian people."

Boyle wrote this already in 1992! In 1993 the world started to get blind drunk about a "peace process" which created a lot of process about up till now no peace.

All seven chapters are worth-reading. May it be on the creation of a Palestinian state, the future of Jerusalem, from Oslo to the Al-Aqsa-Intifada, or preserving the rule of law in the war on international terrorism. Boyle is also very critical of the foreign policy of the United States. He criticises its misuse of international law and its contempt for law in general under the George. W. Bush administration. For him the Bush jr. "has obviously become a 'threat to the peace' within the meaning of the UN charter article 39". There might be some itty-bitty "rogue states" lurking somewhere in the Third World, but today,

"under the aegis of the Bush jr. administration, the United States government has become the sole 'rogue elephant' of international law and politics. For the good of all humanity, the Bush jr. administration must be restrained."

The book verbalises a very harsh, but refreshing critic of the handling of the Palestinian question by the U. S. and Israel. It takes side with the "wretched of the earth". A must reading.

Ludwig Watzal

Schubert, Katharina von: *Checkpoints and chances. Eyewitness accounts from an observer in Israel-Palestine*. Quaker Books, London 2005. 126 S. ISBN 0-85245-366-3