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LETTERS TO THE EDITOR

April 28/1973 Boston Globe

Shahak, best proof of freedom of speech

On April 18, you published an interview in which Israel Shahak characterized Israel as a "racist" society. Your reporter described Dr. Shahak as "chairman of the Israel League for Human and Civil Rights."

Shahak is not chairman of that organization. In November of 1970, he was overwhelmingly defeated for re-election to that post. When he was chairman of the League, it was a tiny organization composed primarily of members of two Maoist organizations, Matzpen and Rakach (though Shahak himself belongs to neither). As soon as the membership was permitted to expand and include a broader political spectrum — over Shahak's vehement protests — Shahak and his clique were ousted. I suspect that it was not your reporter's fault that he characterized Shahak as current chairman of the League, since Shahak has continued to misinform the public about his status since his ouster.

Let no one believe that Shahak is a civil libertarian. He is the furthest thing from it. A civil libertarian defends the rights of those with whom he disagrees as vehemently as those with whom he agrees (consider, for example, the American Civil Liberties Union's frequent defense of Nazis and right-wingers). Shahak has never defended the rights of those with whom he disagrees politically; nor has he ever attacked the practices of those with whom he agrees politically. He is about as much of a civil libertarian as are the Communists who defend only the rights of other Communists or Ku Klux Klanners who defend only the rights of other Klanners.

Shahak's approach is well illustrated by the content of his interview. He calls Israel "racist" because it designates its residents by their religion. Most countries in the world, of course, do the same thing. Every Arab country draws distinctions between Moslems and non-Moslems.

Indeed, even Lebanon, probably the most liberal of Arab countries, explicitly requires certain of its high officials to be Moslem and others to be Christian. (Jews—even Anti-Zionist Jews like Dr. Shahak — are excluded from attaining these offices.) Other Arab countries exclude all non-Moslems from office, and from other important privileges and rights. There are no such exclusions under Israeli law. A Moslem, a Druze, or a Christian could, theoretically, become Prime Minister of Israel; and many non-Jews do, in fact, hold high office nationally as well as locally. Most countries in the world—and every single Arab country—could learn a great deal from Israel's handling of its minority population.

Of course, Israel is a Jewish country. In a world with numerous Moslem, Catholic and Protestant countries, why should there not be one country where Jewish values and culture predominate? As long as there is no discrimination against other minorities, Israel's Jewishness is to be applauded, not condemned.

The very best proof of Israel's commitment to liberty is that it permits hate-mongers such as Shahak — and other Israeli-Arab critics of Israel — to travel throughout the world on Israeli passports spewing forth their venom. Can one think of any Arab country that would permit a Jewish critic publicly to attack its regime?

ALAN DERSHOWITZ
Professor of Law
Harvard

Cambridge

Innovative program

Recently you published an impressive article regarding the inclusion of men inmates to the Framingham Reformatory for Women.

I was particularly interested in your article because 20 years ago I was public relations director for Dr. Miriam Van Waters, then superin-

LETTERS TO THE EDITOR

Boston Globe, May 17, 1973

Shahak a man of honor and principle

In a letter April 29, Alan Dershowitz raised objections to the interview with Dr. Israel Shahak in The Globe April 18.

According to Dershowitz, Shahak was not telling the truth when he identified himself as chairman of the Israel League for Human and Civil Rights, since he was "overwhelmingly defeated for reelection to that post" in November 1970. The facts, as far as I can determine them, are as follows.

In November 1972 (not 1970), the Youth Department of the Israel Labor Party distributed an internal memorandum requesting members to register "for the purpose of enabling our party to have a predominant influence in the League for Human Rights." The Labor Party offered to cover the expenses of membership dues, in this "national operation." On Nov. 16, 1972, several hundred members of the Labor Party Youth Group had appeared at a general meeting of the League, insisted on being registered at once as members, voted out the leadership of this small civil rights organization, and proceeded to pass a resolution denouncing the treatment of Jews in the Soviet Union. The Israeli Courts, quite properly, declared the events of that meeting null and void. While litigation continues, the leadership of the League remains as before under Israeli law. It is these events to which Dershowitz refers when he writes that "as soon as the membership was permitted to expand and include a broader political spectrum—over Shahak's vehement protests—Shahak and his clique were ousted."

The League has announced it remains open, as in the past, to all individuals concerned with civil rights, who may apply ... on an individual basis. One might observe that, in contrast, the Labor Party excludes Arabs from membership.

Evidently, no open organization can withstand such tactics for long. If such methods were used to take over the American Civil Liberties Union in a "national operation" of some mass political organization, Dershowitz would be the first to protest. It is remarkable that he is willing to associate himself with such tactics when they are employed in an admitted effort to enable the largest political party in Israel to have a predominant influence in the League for Human Rights."

Dershowitz then proceeds to assert that Shahak is "about as much of a civil libertarian as are the Communists who defend only the rights of other Communists," and he claims that "Shahak has never defended the interests of those with whom he disagrees politically." The facts are quite different. Israel Shahak came to Israel from Poland, where he had been in a Nazi concentration camp. He is a distinguished scientist at the Hebrew University, a man steeped in the Jewish tradition, politically rather conservative, not a communist or a socialist. As anyone familiar with Israeli society would recognize at once, he is a member of the most privileged social group in the country, while to the right of the official views of the dominant Labor Party on many social and political issues. He has courageously defended the rights of the oppressed and underprivileged: Arabs, Oriental Jews, political dissidents, and others who differ from him markedly not only in political belief but also in social status. He is a man of honor and principle

who needs no lessons from Alan Dershowitz or anyone else on what it means to be a civil libertarian.

According to Dershowitz, Shahak calls Israel "racist" on the grounds that "it designates its residents by their religion" as most other countries do. This is nonsense. Shahak has accumulated and made public extensive documentation on legal and institutional discrimination and on discriminatory administrative and social practices. Rather than attending to this evidence, or seeking to refute it if it is incorrect or misleading, Dershowitz has chosen to distort beyond recognition what Shahak has said and done and to vilify him as a "hate-monger" who "spews forth (his) venom" against Israel. His resort to such tactics and his refusal to consider the actual evidence that Shahak has presented speaks for itself, I am afraid.

NOAM CHOMSKY

Cambridge

Boston Globe, May 25 1973
Dershowitz replies

I was not surprised at the belligerent tone of Noam Chomsky's response (May 17) to my letter regarding Israel Shahak (April 29). Though Chomsky and I have been allies in numerous cases, I have seen over the years that Chomsky will stop at nothing in attacking those who support Israel or in defending those who attack it. As evidence of that, consider his statement that the Israeli courts declared the League for Human Rights election void and that "the leadership of the League remains as before under Israeli law". That is totally false. The truth is that the Tel Aviv District Court, in an opinion by Judge Levenberg, ruled that the election was legal and that Shahak had been validly defeated. I challenge Chomsky to cite me any documentary evidence to the contrary!

Chomsky completely distorts the history leading up to the 1972 election. He neglects to mention that since its foundation in the 1930s, the League was always a broadly based civil liberties organization until Shahak's clique took it over in 1970 and used it as an anti-zionist political tool. I see nothing wrong with a desire on the part of members of the Israeli labor movement to convert that organization back into one that truly stands for civil liberties. Nor would I object if large numbers of persons — who were committed to civil liberties — tried to change the American Civil Liberties Union by democratic means.

Chomsky disputes my statement that Shahak defends the civil liber-

ties only of those with whom he agrees politically. I again challenge Chomsky to cite me instances where Shahak (or the League when it was under his domination) ever supported the rights of those who disagreed with the anti-zionist political views of the League. Why did the League — when it was under Shahak's domination — refuse to condemn the execution of Jews in Iraq or the oppression of Jews in the Soviet Union? I'm afraid that both Shahak and Chomsky do need lessons on what it means to be a civil libertarian.

ALAN DERSHOWITZ
Professor of Law

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June 5 1973

Boston Globe

In defense of Shahak

In a further attempt to discredit the Israel League for Human Rights and its chairman, Israel Shahak, Alan Dershowitz asserts (May 25) that "the Tel Aviv District Court, in an opinion by Judge Lovenberg, ruled that the election (of Nov. 16, 1972) was legal and that Shahak had been validly defeated." He challenges me to cite "any documentary evidence to the contrary."

I quote from the opinion of Judge Lovenberg, Nov. 26, 1972: "The meeting called for Nov. 16, 1972, in the opinion of the court, was not held properly, and no conclusions or actions are to be drawn from it." On April 8, Judge Lovenberg reaffirmed that the results of the November meeting "were not recognized as binding by this Court." In this opinion, he refers to the "former committee" (that is, Shahak and his colleagues), which continues to function, as "those who now direct" the League. I have the Court documents in my possession, and will gladly show them to any interested person.

Dershowitz sees "nothing wrong with a desire on the part of members of the Israeli labor movement to convert" the League. Recall the uncontested facts. In an internal memorandum, the Labor Party urged members to join the League (with dues paid by the party) "for the purpose of enabling our party to have a predominant influence" in the League. There is no mention of any commitment to civil liberties. Rather, this is described as a "state duty." It is remarkable that Dersho-

witz sees this as an effort to change the League "by democratic means." Evidently, no open organization of dissent can survive such tactics on the part of the ruling party.

Dershowitz reiterates his charge that Shahak is no civil libertarian, and finally produces his evidence: the Israel League did not "condemn the execution of Jews in Iraq or the oppression of Jews in the Soviet Union." By similar logic, we can prove that the ACLU is not committed to civil liberties, since it does not condemn the treatment of political prisoners in Indonesia or Kurds in Iraq. Plainly, the only valid criticism of the ACLU would be that it refuses on political grounds to defend civil liberties in the United States. Dershowitz cites not one relevant case to support his allegations against the League and its chairman. These charges are thus revealed to be mere slander, on a par with his continued assertion that Shahak was voted out of office in a legal election.

It is important that the central issue not be obscured. Dr. Shahak and the Israel League, acting with courage and honor, have produced substantial evidence on violations of human and civil rights by the Israeli government, avoiding no relevant instances to my knowledge. Apparently unable to refute the facts, Dershowitz has chosen to defame the man, in a manner which is as familiar as it is deplorable.

NOAM CHOMSKY
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