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On Hamas, Israel and the Goldstone Report

Ruvim Braude
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Just days after Judge Richard Goldstone's startling repudiation of significant parts of the 2009 "Goldstone Report" on that year's Israeli-Hamas conflict in Gaza, Hamas - the radical Islamist group ruling Gaza that the United States has declared a terrorist organization - fired an anti-tank missile into Israel, hitting a bright yellow school bus and killing a child.

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Willfully targeting a school bus is an act of terrorism and a war crime. This is the same Hamas whose leadership condemned the killing of Osama bin Laden while praising him as an "Arab holy warrior." It is the same Hamas that just signed an Egyptian-brokered reconciliation agreement with Fatah, the largest faction of the Palestine Liberation Organization. The agreement, if it sticks, may lead to further Palestinian radicalization and the possibility that Fatah will release scores of Hamas prisoners in the West Bank. The Israelis, and all who seek peace, are justifiably concerned.

In his repudiation, Goldstone wrote that the "crimes allegedly committed by Hamas were intentional goes without saying - its rockets were purposefully and indiscriminately aimed at civilian targets." In stark contrast, Goldstone wrote about Israel that during Operation Cast Lead "civilians were not intentionally targeted as a matter of policy." What upsets Hamas and its supporters is that the report bearing Goldstone's name was significantly weakened by Goldstone himself.

Since the report's publication by the U.N. Human Rights Council in 2009, Israel's critics have cited it as "proof" of Israeli "crimes." They remain untroubled that the report legally does not rise to the level of an indictment, let alone a conviction, and that no judicial authority has yet reviewed its conclusions, let alone ruled on them.

The fact that the same report also indicated that Hamas probably committed war crimes and crimes against humanity is an inconvenient truth that these critics choose to overlook. The only reason they can seem to fathom for Goldstone's reconsideration is that he buckled under "Israeli" and "Jewish" intimidation. One day Goldstone is their brave hero; the next he is a "Zionist stooge."

There are many questions for Goldstone to answer. Foremost is why he lent his good name and reputation to the report, given the Human Rights Council's undisputed anti-Israel bias. Even U.N. Secretary General Ban Ki-moon felt obliged to rebuke the council in 2007 when it decided to create a permanent agenda item reviewing just one country in the world: Israel. "The secretary-general is disappointed at the council's decision to single out only one specific regional item given the range and scope of allegations of human rights violations throughout the world." Indeed.

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Recent upheavals in the Mideast reveal that the greatest human rights abuses suffered by the most Arabs and Muslims have been inflicted by the dictatorial regimes in the Arab world and Iran. Yet, for years, the Human Rights Council systematically ignored these ongoing human rights abuses by these regimes. Why? Perhaps because a number of these regimes (including Saudi Arabia and Bahrain) are council members.

"I had hoped that our inquiry into all aspects of the Gaza conflict would begin a new era of evenhandedness at the U.N. Human Rights Council, whose history of bias against Israel cannot be doubted," wrote Goldstone. How sorely mistaken he was.

Ruvim Braude is the president of the San Francisco-based Jewish Community Relations Council.

This article appeared on page A - 18 of the San Francisco Chronicle

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