

wrote, “[I]n the [galley] proofs [of *The Case for Israel*], it ... says: Copy from Joan Peters. It does. ... There was no question about it.” He thus alleges that I instructed a research assistant to “copy” from another author without citations. But he simply makes up the word “copy.” The note says precisely the opposite: “cite sources on pp. 160, 485, 486, footnotes 141–145.” The instruction is to be certain that the material is properly cited, as it was to the original source. This is not proof of plagiarism; it is proof of scholarship.

Yet Finkelstein persists in making this charge since it is part of his long pattern of leveling personal attacks against those who support Israel or justice for Holocaust survivors, rather than engaging them on the merits of their views. I fully document this pattern in Chapter 16 of my book, *The Case for Peace*. Desch

that all of my books are written for me by the Israeli Mossad: “[I]t’s sort of like a Hallmark line for Nazis....[T]hey churn them out so fast that he has now reached a point where he doesn’t even read them.”

Finkelstein has attempted to frame *Beyond Chutzpah*’s publication as a triumph for academic freedom. This dispute, though, has never been about academic freedom. Nobody ever tried to prevent Finkelstein from publishing his bigoted falsehoods. The dispute has always been about academic standards. In order to deflect attention away from their lack of academic standards and hard-left anti-Israel bias, Finkelstein and his publisher have lied about the issue of academic freedom.

Nobody has ever tried to censor Finkelstein’s drivel. He can always publish it with presses that acknowledge

The sentence construction is typical of both extremist left-wing (Finkelstein) and right-wing (*The American Conservative*) anti-Israel hatemongers. Even if the facts aren’t true, Desch believes, naked animus toward Israel is sufficient to sustain his arguments. His bigotry is showing.

—Alan Dershowitz

Desch replies:

Alan Dershowitz calls Norman Finkelstein’s new book *Beyond Chutzpah* “drivel.” But that is hardly a fair assessment. The book was published by the University of California Press—one of the nation’s leading academic publishers—after an exceedingly thorough and scrupulous review process. The manuscript was sent to six external reviewers (most academic presses solicit advice from just one or two), vetted by lawyers in both the United States and Britain (highly unusual for a scholarly book), and then subjected to rigorous fact-checking during the production phase (also atypical). The reason Dershowitz is so hostile is that *Beyond Chutzpah* argues that in *The Case for Israel* he misappropriated and misconstrued other scholars’ work.

On the former charge, Finkelstein identifies at least 20 instances of nearly identical quotes and citations in Dershowitz’s *The Case for Israel* and Joan Peters’s widely discredited *From Time Immemorial* that were not properly attributed (e.g., he directly cited Mark Twain when he should have indicated that he was using Twain as quoted in Peters). In essence, Finkelstein deals Dershowitz a double blow: for inappropriately using another scholar’s work and for doing so from this debunked source.

Dershowitz’s response is first to build a straw man, claiming that Finkelstein contends that he did not write the book. This charge is not made in *Beyond Chutzpah*, but tellingly, Dershowitz nonetheless devotes much effort to

“In order to deflect attention away from their lack of academic standards and hard-left anti-Israel bias, Finkelstein and his publisher have lied about the issue of academic freedom.”

goes even further, suggesting a Jewish conspiracy involving Harvard’s president Lawrence Summers, the *New York Times*, and other pro-Israel advocates.

(4) Finally, Desch says that I “launched an extraordinary campaign to prevent [Finkelstein’s] book’s publication.” But as I wrote to the University of California Press:

“I have no interest in censoring any publication. But I do insist that a book, ‘a large part of which is devoted to Alan Dershowitz’ has been checked for accuracy and that all appropriate measures have been taken to assure that its biased and defamatory author does not include within it maliciously false information.”

Among Finkelstein’s defamations are his allegations that I “almost certainly didn’t write” *The Case for Israel*, “and perhaps [he] didn’t even read it prior to publication.” Finkelstein even suggests

their anti-Israel bias. The issue is, and has always been, one of academic standards: how could the University of California Press publish a work so lacking in standards, so filled with misquotations, falsifications, and faked data by a failed academic with a well-deserved reputation for the “pure invention” of his sources? No objective university press would have published this sequel to a book the *New York Times* called a “variation on the anti-Semitic forgery, ‘The Protocols of the Elders of Zion.’”

The most telling sentence in Desch’s article comes near the end, when he concludes: “Even if Finkelstein’s most serious charges are not true, it is nonetheless a scandal that Dershowitz’s sloppy book was widely and favorably reviewed in many prominent places, including the *New York Times*, and became a national bestseller.”

knocking the stuffing out of it. He then invokes testimonials to his scholarly integrity from his ex-boss, former Harvard president and law school dean Derek Bok, and his friend, former Dartmouth president James Freedman, when it would be more convincing if they had provided detailed responses to Finkelstein's specific charges.

Dershowitz also misconstrues the work of Israeli historian Benny Morris. It is irrelevant that the post-al Aksa Intifada Benny Morris, who has publicly broken with his former comrades in the peace camp and now endorses ethnic cleansing, has come around to agree with Dershowitz's position on the Israel-Palestine conflict. Rather, the question is

tions of Morris the "new historian" to fit Dershowitz's own political agenda of defending Israel against all critics, as Finkelstein amply documents.

Unable to win the case against Finkelstein on its intellectual merits, Dershowitz apparently tried to block publication of *Beyond Chutzpah*. Although Dershowitz denies this, he so far has not provided more than selective excerpts from his pre-publication letters to the New Press, the University of California Press, and the governor of California, and those from the New York law firm Cravath, Swaine & Moore acting on his behalf, to buttress his claims that his extensive letter-writing campaign merely sought to ensure that *Beyond Chutzpah*

strategy appears to be to twist the arguments and impugn the motives of anyone who endorses the book.

One example of such twisting is his insinuation that I have not read his book *Why Terrorism Works*. Had I done so, he claims, I would recognize that he is actually an opponent of torture. In fact, I have read it carefully but remain unconvinced that legalizing torture through judicial warrants will reduce its frequency and severity. Even with judicial sanction, any justification for torture still presents a slippery slope, as the famous "ticking bomb" rationale has proven in Israel and the United States in recent years. I also had trouble taking seriously his opposition to torture after reading of his preferred method—sterile needles under fingernails—and his cavalier conclusion that "pain is over-rated."

Not satisfied simply to twist my arguments, Dershowitz then impugns my character and motives for favorably reviewing Finkelstein's book. It is absurd, on the face of it, to attribute anti-Semitism to a gentile who favors the scholarship of one Jew over that of another. But this is par for the course with Dershowitz. In *The Case for Israel*, he equates most criticisms of the Jewish state with anti-Semitism. Now he suggests that criticism of his work is tantamount to anti-Semitism. The fact that Dershowitz must fall back on name calling to defend himself suggests that he knows full well that he cannot win the debate in the scholarly marketplace of ideas.

—Michael Desch

“In It is absurd, on the face of it, to attribute anti-Semitism to a gentile who favors the scholarship of one Jew over that of another. But this is par for the course with Dershowitz.”

whether Dershowitz can base his defense of Israel on Morris's earlier scholarly work.

Let me offer one telling example of the incompatibility of their overarching arguments. In *The Case for Israel*, Dershowitz argues that it is "impossible to understand the conflict in the Middle East without accepting the reality that from the very beginning the strategy of the Arab leadership has been to eliminate the existence of the Jewish state, and indeed any substantial Jewish population." In contrast, in his fine book *Righteous Victims*, Morris quotes with approval David Ben-Gurion's 1938 admission, "When we say that the Arabs are the aggressors and we defend ourselves—that is only half the truth. ... the fighting is only one aspect of the conflict, which is in its essence a political one. And politically we are the aggressors and they defend themselves." Dershowitz can only rely on Morris the neo-Likudnik by twisting the evidence and interpreta-

did "not include maliciously false information." Since he has not released the full texts, the best we can do is judge these letters by how they were understood by their recipients.

UC Press Director Lynne Withey, in an interview with *Inside Higher Ed*, characterized them as an effort to "stop publication of the book." In an account of the affair in *The Chronicle of Higher Education*, Finkelstein's editor concluded, "the [legal] threat to the press was real." The *Los Angeles Times* quoted Gov. Arnold Schwarzenegger's legal adviser's reply to one of Dershowitz's letters soliciting "the Governor's assistance in preventing publication of this book." If Dershowitz really wants to clear the air, he should release the full text of these letters and let the rest of us ascertain his intent.

Having failed to prevent publication of *Beyond Chutzpah*, Dershowitz is now fighting a desperate, rear-guard action to discourage people from reading it. His

The American Conservative welcomes letters to the editor. Submit by e-mail to letters@amconmag.com, by fax to 703-875-3350, or by mail to 1300 Wilson Blvd., Suite 120, Arlington, VA 22209. Please include your name, address, and phone number. We reserve the right to edit all correspondence for space and clarity.

Might the Arabs Have a Point?

Karen Hughes, President Bush's newest undersecretary of state for public diplomacy and the caretaker of America's image abroad, has her work cut out for her.

A Zogby survey of 3,900 Arabs in Morocco, Egypt, Saudi Arabia, Lebanon, Jordan, and the United Arab Emirates has uncovered massive distrust of U.S. motives in the Middle East.

Unkindest cut of all, Arabs would prefer that President Chirac and France lead the world rather than us, and, rather than have us as the world's lone superpower, they would prefer the Chinese.

While Arabs are not as rabidly anti-American as in the aftermath of the Iraq invasion, still, by 77 percent to 6 percent, they believe the Iraqi people are worse off today, and by four-to-one, Arabs say the U.S. invasion has increased, not decreased, terrorism.

Designed by Arab scholar Shibley Telhami of the Brookings Institution, the survey reveals pervasive cynicism about the stated goals of George W. Bush. When asked, "When you consider American objectives in the Middle East, what factors do you think are important to the United States?" the Arab answers came as follows:

Fully 76 percent said the Americans are there for the oil, 68 percent said to protect Israel, 63 percent to dominate the region, and 59 percent to weaken the Muslim world. Only 6 percent said we were there to protect human rights and another 6 percent said to promote democracy. Asked directly if they believe President Bush when he says democracy is our goal, two of every three Arabs, 78 percent in Egypt, said that, no, they do not believe Bush.

Asked to name the two nations that present the greatest threat to regional peace, 70 percent named Israel, 63 percent the United States, and 11 percent Britain. Only 6 percent named our *bête noire* Iran.

Asked to name the foreign leader they disliked most, Sharon swept top honors with 45 percent. Bush took the silver with 30 percent. No one else was close. Tony Blair came in a weak third. Only 3 percent of the Arabs detest him most.

While only 6 percent agreed with al-Qaeda's aim to establish an Islamic state and only 7 percent approve of its methods, 20 percent admire the way al-Qaeda "stood up for Muslim causes" and 36 percent admire how it "confronts the U.S."

Favorite news source? Sixty-five percent named Al-Jazeera either as their favorite or second favorite. What Fox News is to red-state America, Al-Jazeera is to the Arab street.

America's standing in the Arab world could hardly be worse. And the questions the survey raises are these: Do we care? And, if we do, do not the Arabs have a point? Has not U.S. behavior in the Middle East lent credence to the view that our principal interests are Israel and oil, and, under Bush II, that we launched an invasion to dominate the region?

After all, before liberating Kuwait, Secretary of State Baker said the coming war was about "o-i-l." And while we sent half a million troops to rescue that nation of 1.5 million, we sent none to Rwanda, where perhaps that many people were massacred.

If Kuwait did not sit on an underground sea of oil, would we have gone in? Is our military presence in the Mideast unrelated to its control of two-thirds of the world's oil reserves?

If human rights is our goal, why have we not gone into Darfur, the real hell-hole of human rights? If democracy is what we are fighting for, why did we not invade Cuba, a dictatorship, 90 miles away, far more hostile to America than Saddam's Iraq, and where human rights have been abused for half a century? Saddam never hosted nuclear missiles targeted at U.S. cities.

And is Israel not our fair-haired boy? Though Sharon & Co. have stomped on as many UN resolutions as Saddam Hussein ever did, they have pocketed \$100 billion in U.S. aid and are now asking for a \$2 billion bonus this year, Katrina notwithstanding. Anyone doubt they will get it?

Though per capita income in Israel is probably 20 times that of the Palestinians, Israel gets the lion's share of economic aid. And though they have flipped off half a dozen presidents to plant half a million settlers in Arab East Jerusalem and the West Bank, have we ever imposed a single sanction on Israel? Has Bush ever raised his voice to Ariel Sharon? And when you listen to the talking heads and read the columns of the neocon press, is it unfair to conclude that, yes, they would like to dump over every regime that defies Bush or Sharon?

Empathy, a capacity for participating in another's feelings or ideas, is indispensable to diplomacy. Carried too far, as it was by the Brits in the 1930s, it can lead to appeasement. But an absence of empathy can leave statesmen oblivious as to why their nation is hated, and with equally fateful consequences. ■