

Wall Street Journal Rhapsodizes Over Sham UN Resolution to End Lebanon War

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In-depth Report: [THE WAR ON LEBANON](#)

On its editorial page at least the Wall Street Journal is consistent. It never fails to disappoint or miss an opportunity to misinform its readers. The August 16 article by the right wing Hoover Institution George Shultz Senior Fellow and former US State Department legal advisor in the 1980s Abraham Sofaer is just the latest example. The article is a typical Journal litany of propaganda, distortion, and deliberate misstatement of facts. It's what we've come to expect from an editorial page only hard right supporters and proponents of empire would love. It's not what we should expect from a former Columbia University School of Law professor who surely knows the law well and shouldn't twist it to misinform his readers when he writes about it.

The article is titled "Solution and Resolution" so before even reading it it's clear Mr. Sofaer is mis-portraying truth and reality. He begins by saying UN Resolution 1701 "contains the bases upon which a lasting peace could be established along the Lebanon/Israel border, and true sovereign authority transferred to Lebanon's government. But these objectives will succeed only if the resolution's demands are met." With that opening salvo, it's hard not being breathless and needing to pause before reading on.

First off, what on earth does Mr. Sofaer mean by "true sovereign authority transferred to Lebanon's government." Doesn't this distinguished Fellow know Lebanon is a sovereign state and the issue at hand is not about a transference of anything except the right of the Lebanese government to "transfer" the Israeli Defense Forces (IDF) back to Israel. As for the Security Council action on August 11, Resolution 1701 was a revised version of the original one jointly proposed by the US and France and with all provisions in it agreed to in advance by Israel before being put to a vote. Neither Lebanon nor Hezbollah were afforded the same right, and it showed in what passed unanimously as the demands of Israel and the US were met but not those of the country and its people the IDF attacked preemptively.

By having passed this resolution, the Security Council once again showed the world the UN is little more than a servile agent of US imperial foreign policy and that of its allies. As it did so often in the past, this international body failed in the primary mission it was set up for as stated in its Charter: "to save succeeding generations from the scourge of war, to maintain international peace and security, (and to suppress) acts of aggression or other breaches of the peace." By its vote on August 11, the Security Council, in fact, did the opposite. In effect, it sanctioned an illegal war of aggression and in doing so violated the most fundamental principle of its own Charter. It's clear the distinguished law professor and author of this article wholeheartedly approves.

He no doubt also approves and certainly understands that the one thing this resolution will

never guarantee is peace in the region, justifiable retribution and justice for the victims or any possible outcome other than continued conflict. It's also likely it was designed with that in mind as a "lasting peace" would undermine Israel's hardened position to oppose any political solution and is only able to avoid one in a state of conflict against an adversary it portrays as terrorists even though it and its members are not. Former Prime Minister Yitzhak Shamir explained it in the 1980s (which Mr. Sofaer surely must know) when he admitted his country went to war with Lebanon in 1982 because there was "a terrible danger....not so much a military one as a political one." But Israel couldn't invade the country without good reason to do it. It found none so it invented one after the terrorist Abu Nidal organization attempted to assassinate the Israeli Ambassador to the UK in London. The Israelis blamed it on the PLO and Yassar Arafat based in Lebanon that had nothing to do with it, falsely claimed it was acting to protect its citizens from PLO attacks when there were none, went to war based on a lie and killed 18,000 mostly civilian Lebanese and Palestinians before it ended - and all to avoid a political solution.

Mr. Sofaer goes on to state successful implementation of the resolution "depends on convincing Syria to end its policy of allowing Hezbollah to be used by Iran to destabilize Israel's security." Once again one must pause for breath-catching as Mr. Sofaer has inverted reality. He seems not to understand that Israel's 1982 invasion of Lebanon and oppressive occupation gave birth to Hezbollah. It was formed as a legitimate resistance to it and is now part of the democratically elected Lebanese government. But Hezbollah is also determined to free its country from a foreign occupier. To do so it became a formidable adversary and finally succeeded in forcing the IDF to withdraw mostly from the country in May, 2000, only remaining in the 25 square kilometer Shebaa Farms area in the South. Ever since Hezbollah has been a bulwark of defense serving and protecting its people in South Lebanon against the Israelis that since withdrawing have made near-daily illegal cross-border incursions, repeated violations of the country's airspace, and have forcibly abducted and now hold in indefinite detention over 10,000 Palestinian and Lebanese civilians, many administratively without charge.

Hizbollah has every right to seek and receive aid from other countries willing to supply it just as Israel receives billions of dollars of military and economic aid annually from the US and with it built the world's fourth most powerful military with nearly every modern weapon including a large nuclear arsenal. But there's a difference in Hezbollah's purpose and that of the Israelis. For Hezbollah it's for self-defense, but for Israel it's for intimidation, occupation and preemptive illegal aggression. Mr. Sofaer seems not to know or admit that Hezbollah never first attacked Israel after the IDF mostly withdrew from Lebanon. And it only ever claims the legitimate right to do so in response to the IDF's illegal occupation of sovereign Lebanese territory. Otherwise, it only responds to Israeli attacks against its forces or the people of Lebanon which Israel has a long history of provocatively making while falsely claiming it only does so in retaliation for what Hezbollah or the Palestinians initiate.

Mr. Sofaer then goes on to make one misstatement after another. He stresses that the IDF must withdraw from Lebanon only after "the Lebanese Army and an expanded United Nations force assume control." He fails to note the resolution only asks Israel to stop "all offensive military operations" without defining what that means and sets no fixed timetable for the IDF withdrawal. This was the language Israel wanted and now has stated its forces may remain in the country for many months. If they do, this will be a deliberate provocation to reignite the conflict after which the IDF will claim it has the right to strike back.

The resolution also calls on Hezbollah to cease “all attacks” immediately but only implies without explicitly stating it must disarm. Mr. Sofaer falsely claims it calls for “Hezbollah’s disarmament” and an “end to the importation of weapons.” False on both counts as just stated on count one and in the resolution’s language on count two that says “no weapons (are allowed) without the consent of the government of Lebanon and no authority other than that of the government of Lebanon.” Someone should inform Mr. Sofaer that Hezbollah is a legitimate part of that government, its members comprise a large portion of the Lebanese Army, and thus according to the resolution may have weapons and certainly according to the UN Charter can use them in self-defense. It only must refrain from using them offensively as Israel does all the time under the fraudulent cover of self-defense.

Mr. Sofaer also falsely accuses Hezbollah by implication of initiating the attack on Israel on July 12 and abducting its soldiers. It did neither. Hezbollah responded to repeated IDF attacks on its territory and people and captured (not “abducted”) two IDF soldiers. It’s believed they illegally crossed the UN-monitored “blue line” into Lebanon as the IDF has routinely done almost daily since withdrawing from the country in May, 2000. Further, Mr. Sofaer is incorrect in saying the resolution will not “allow Israel to act in its reasonable self-defense.” In fact, it gives Israel every right to do it by permitting the IDF the right to initiate further assaults any time it believes, true or not and with no corroborating evidence, an imminent threat against the Jewish state exists. In so doing, this provision violates the UN Charter that only allows a nation to use force under two conditions: when authorized to do it by the Security Council or under Article 51 that allows a nation to respond to an attack by another nation. Does this distinguished former law professor not understand this?

Mr. Sofaer also claims Hezbollah has no right to seek arms from allies like Syria and Iran or any other legitimate supplier for its self-defense or to protect the people of Lebanon as it was formed to do. He makes no similar demand of Israel, which is far more heavily armed by the US and replenished as needed, that has a long history of deliberate provocation and belligerence against its neighbors including the Palestinians for nearly six decades. It’s done it as well against the Lebanese since 1968 when the IDF conducted terror raids and military aggression against the country that included attacking the Beirut airport and destroying 13 civilian planes on the ground claiming, without evidence, it was in retaliation for an attack by Lebanese trained Palestinians targeting an Israeli airliner in Athens.

Mr. Sofaer also disingenuously accuses Syria of “using Hezbollah to create instability” and in mentioning what he calls Israel’s “legitimate concerns in surrendering the Golan Heights,” never explaining that Israel wanted that Syrian territory in the first place for its water resources and having seized it almost 40 years ago never intends to negotiate seriously to relinquish it. He shamelessly goes on to say Israel only will withdraw from “non-Israeli territory (if it can be done) without causing increased insecurity and danger for its people.....(and) the Israeli people.....have shown a willingness to return territory for peace” as it did when signing peace treaties with Egypt and Jordan. By this statement Mr. Sofaer inverts history again by failing to acknowledge that Israel has been expansionist throughout its short existence and that Arab attacks against it only occurred in response to IDF first-strike aggressive assaults or after considerable IDF provocation. He never even considers the possibility that if Israel really wanted to live in peace with its neighbors all it need do is to stop attacking them and invading their territory. The fact that it hasn’t through the years shows it won’t and doesn’t want to because, as explained earlier, it won’t tolerate a political solution to conflict in the region that could not be avoided in an atmosphere of peace, security and stability.

Mr. Sofaer continues to go from bad to worse by claiming former Prime Minister Ariel Sharon established a policy of withdrawing from Gaza and “building a fence to separate Israelis from Palestinian areas” because “it became clear....the Palestinians were determined to make war on Israel.” This is an utter absurdity on its face, Mr. Sofaer must know it with his distinguished credentials, but nonetheless puts this outrageous misstatement of fact in his column. As he surely understands well, the IDF never withdrew from Gaza but only redeployed to new occupation positions from which it could and has reentered the territory at will. He also knows the “separation” wall is being built not for security but as a land-grab policy to seize additional areas from the Palestinians for Israeli settlements. In so doing, Israel is in violation of UN Resolutions 465 and 476 that condemned Israel’s policy of “settling parts of its population and new immigrants in those territories (and said doing so constituted) a flagrant violation of the Fourth Geneva Convention relative to the protection of civilian persons in time of war and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.” It called on the government of Israel to “dismantle the existing settlements and in particular to cease....the establishment, construction and planning of (new) settlements in the Arab territories since 1967, including Jerusalem.”

Mr. Sofaer also ignores the World Court decision in July, 2004 that the so-called “separation wall” is “contrary to international law (because it) destroyed and confiscated property, greatly restricts Palestinian movement, and severely impedes the exercise by the Palestinian people of (the) right to self-determination.” The Court ruled 14 – 1 that construction must end at once, the existing portion already built must be taken down, and affected Palestinians must be compensated for their losses. In its ruling the Court cited binding international law codified in the Hague Regulations of 1907 and the Fourth Geneva Convention cited above. It went on to rule that Israel was required to comply with the international humanitarian law in the Regulation and Article 49 of the Convention. Israel ignored the ruling and the UN General Assembly that voted 150 – 6 calling on the Jewish state to obey the World Court decision. Surely a distinguished former law professor understands this.

Mr. Sofaer never once mentions in his one-sided pro-Israel article that it was not Hezbollah but Israel that initiated the attack on July 12 using the capture of two of its soldiers as the pretext to do it – hardly a justifiable reason to go to war (a word missing from UN Resolution 1701). He thus fails to acknowledge that under the provisions of the UN Charter cited above, Israel undertook a war of illegal aggression against Lebanon and in so doing is guilty of the “supreme international crime” according to the Nuremberg Charter. It’s that crime that convicted Nazis after WW II were hanged for. He further fails to admit or understand that by its actions Israel is guilty of committing war crimes and crimes against humanity not just against the Lebanese but also against the Palestinians who aren’t even mentioned in UN Resolution 1701. That conflict is unresolved and continues to rage daily.

The resolution also fails to state in its text that what Israel has done is an act of war or that post-July 12 Hezbollah acted justifiably in self-defense. Mr. Sofaer concludes quite the opposite claiming Hezbollah is the enemy in the (fraudulent) “war on terror” meaning it has no right of self-defense or likely any other rights as well. Resolution 1701 affirms that view granting all rights to the aggressor and none to its victims. As a result, it’s little more than an outrageous and illegal expression of victor’s justice. But that’s quite acceptable to Mr. Sofaer and why wouldn’t it be. He’s paid to represent the interests of the far right Hoover Institution that never met an aggressive imperial policy it didn’t love because those policies

are good for business when they work as intended. In the case of Lebanon and Palestine and Iraq for the US, it looks so far like Israel and the US are big losers as their victims have thus far prevailed.

At this stage it's still early in the game for Israel, further along for their close US ally, partner, paymaster and benefactor and too soon to predict or know the final outcome for either country. But at least one thing's for sure. Mr. Sofaer and the empire builders he represents are on the defensive, are facing two humiliating defeats for their mighty military machines against determined guerilla resistance, and are relying on the power of their disingenuous message to convince people otherwise. So far, from what we're learning from the streets, it doesn't seem to be working as planned.

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