

~~participants, in particular those originating from Israel and Palestine. During my stay in Israel, the first in a series of suicide bomb attacks had taken place in Tel Aviv. In reading this well-written book on an aspect of contemporary Mediterranean history, the tensions I experienced inside this Holy Land, as well as the harrowing realities that daily ravage the Middle East, all came to my mind.~~

~~'Palestine/Israel Peace or Apartheid' is a book that has been written with the Western reader's sympathies in mind. While its Palestinian author can make the book appear biased in favour of one side against the other, the fact that the author is a bystander of the events he is recounting means that it is a book which is in itself a historical document that no individual interested in contemporary politics and international relations should miss.~~

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## **Palestine, Palestinians and International Law**

**Francis Anthony Boyle**

Clarity Press (February 2003)  
ISBN 0-932863-37-X Pages 205

This book provides a comprehensive legal analysis for the Palestinian right to an independent state, the right of Palestinians to self-determination, and Palestinian rights under international law.

The author referred to the legal basis of Palestinian rights as far back as the British Mandate on Palestine under the League of Nations, the UN partition plan, the Palestinian Declaration of Independence, and the Middle East peace negotiations to the present day. He refers to Security Council resolutions 242 and 338 as well as General Assembly resolution 194 and 181. All which are critical to the Palestinian case and essential to any solution.

The author is a long-time supporter of Palestinian rights and served as Legal Advisor to the Palestinian Liberation Organization on the Palestinian Declaration of Independence of 15 November 1988 as well as during the Middle East Peace Negotiations from 1991 to 1993. During which Dr. Haidar Abdel Shafi, Palestinian Head of Delegation

then, instructed the author to provide a formal legal opinion related to the Interim Agreement which resulted in Boyle's *Memorandum of Law* (as the author calls it in the book, *The Palestinian Alternative to Oslo*). Therefore, the book provides a unique inside knowledge of the arguments that the Palestinians could and should use during their battle for their rights.

The book dealt, in the first chapter, in details with creating the State of Palestine. In this regard the League of Nations Mandates for Palestine and South West Africa were compared. The history of Namibia at the UN was analysed and he did his research into the legalities of the Namibian precedent. He explained how to create the State of Palestine. He discussed UN General Assembly sanctions against Israel using the mechanism of the Uniting for peace resolution in response to the deadlock of the Security Council adopting a resolution because of the US veto. He also compared Palestine to South West Africa (Namibia). His view is that "a two-state solution to the Israeli-Palestinian conflict (with a special status for Jerusalem) is the essential precondition for the establishment of any degree of peace or justice in the Middle East for the immediate and in-

definite future" (p. 40). The legal right of the Palestinian people to self-determination and an independent state of their own is the essence of any solution.

In the second chapter, the author discussed the international legal right of the Palestinian people to self-determination and independent state of their own. He discussed the elements of Palestinian statehood, and the Intifada. He also discussed Palestinian steps to peace, and a framework for negotiating a comprehensive Middle East Peace settlement, and the human impediments to peace. Chapter three was devoted to Jerusalem and its future and he analysed the US position on the illegal annexation of Jerusalem by Israel.

The memorandum of understanding which the author prepared for the Palestinian delegation is particularly interesting as it sets out a detailed and comprehensive legal and scholarly analysis of the Palestinian rights and the legal arguments that the Palestinians can and should use and be aware of.

In the fifth chapter the author discussed the Al Aqsa intifada including Security Council resolution 1322 and Israel's belligerent occupation. The sixth chapter discussed preserving the rule of law in the war against terror-

ism. The author discussed state terrorism and national liberation movements.

The final chapter is very interesting because it dealt with what is to be done. The author provided advice and guidance on how to solve the conflict, how to proceed with the peace negotiations and take legal action to compel Israel and the US to abide by international law. The author proposes seven steps: the role of the UN, in particular, its role in suspension of Israel; international law as a basis for peace; dump dishonest broker i.e. US; imposing sanctions on Israel, and in this regard the author made analogy with the South African case; creating an international criminal tribunal for Palestine; world court lawsuit for genocide; and divestment/disinvestments campaign (analogy was made with the South Africa campaign) as a method to force Israel to abide by international law in the light of support of US to Israeli policy, and it is the author who urged the existence of this campaign against Israel that is now in progress on university campuses across the USA.

Throughout the book, the author criticises the US foreign policy, its role in the Israeli Palestinian conflict, the double standards and how the Palestin-

ian should deal with both Israel and the US.

Some important documents are included in the book such as the Palestinian Declaration of independence, and the author's own memorandum of law known as the Palestinian Alternative to Oslo. References were made to international conventions and protocols that apply to the situation in Palestine.

As the author says: "This book has been published at a most critical time in the history of the Israeli-Palestinian conflict and of American foreign policy towards the Middle East. It sets forth essential information on the international legal and human rights principles applicable to the Israeli-Palestinian conflict and their relevance to the production of a comprehensive Middle East peace settlement between Israel and Palestine as well as between Israel and the surrounding Arab States. Indeed, there is no way anyone can even begin to comprehend the Israeli-Palestinian conflict and how to resolve it without developing a basic working knowledge of the principles of international law and human rights related thereto. By the end of this book, the reader should be in an excellent position to go out and work for peace with justice for all peoples and states in the Middle East. I doubt very se-

riously that history will give any of us a second chance to do so" (p. 23).

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**The Wrath of Jonah. The Crisis of Religious Nationalism in the Israeli-Palestinian Conflict**

**Rosemary Radford Ruether and Herman J. Ruether**

(Second Edition Fortress Press, Minneapolis: 2002) ISBN 0-8006-3479-9 pages xxiv + 296 including five maps and index

This thought-provoking essay aptly derives its title from the story of Jonah, the pathetic character who preaches death and destruction to the people of Nineveh, only to suffer the unbearable displeasure of seeing the repentant Assyrian city saved by his divine master. Jonah asks God to take his life, insisting 'I have every right to be angry, mortally angry!', but God reminds him that he is God to all nations. This book is, in a sense, a sobering historical and moral reflection on this message. Considering the fundamental role played by religion in the making

of the two rival communities and their respective identities, it is remarkable that this dimension of the Israeli-Palestinian conflict has received limited scholarly attention. When the authors completed the First Edition of the book, in mid-1988, the first Palestinian *intifada*, or uprising, was raging. As I write this review of the Second Edition, in October 2003, the second *intifada* is already three years old, and peace remains as elusive as ever. The central question the authors pose is: 'What kind of repentance seems to be called for in order for Israelis and Palestinians to live together in justice and peace today?' ('Introduction', xxi). Their answer, at the end of the book, is a call for universal brotherhood; people have formed 'distinctive historical communities' but they are duty bound to act as 'caretakers of the one earth we all share' (Chapter 8, 242). The authors (she is a Professor of Theology, he a political scientist and former director of the Palestinian Human Rights Campaign) clearly address an English-speaking public which is generally external to the conflict and often at a loss to understand the extremely complex situation. The core of the book is the nature of Zionism, its historical foundations and development; the open, as well as covert, sup-