

Inviting an Endless Terror

A core principle of all civilized legal systems – one reaffirmed very explicitly at Nuremberg, during the major post-war trial of Nazi war criminals – is *Nullum crimen sine poena*, or, “No crime without a punishment.” Today, oddly enough, as growing numbers of Palestinian terrorists search eagerly for Jewish stabbing victims all over Israel, the world community often blames the victims, more than the criminals. In Washington, the president and his thoroughly hapless secretary of state have responded to the grotesque Palestinian crime spree, with utterly incoherent American commitments to Palestinian statehood.

Even now, when the always conspicuously false Palestinian narrative of an Israeli “occupation” has finally become logically impossible to defend, the Obama administration and its European “partners” still urge creation of “Palestine.” Significantly, this is essentially the same “team” of statesmen that recently celebrated its flagrantly self-destructive nuclear agreement with Iran. Apart from its obvious impotence, this is an agreement violating, *inter alia*, both the 1968 *Nuclear Nonproliferation Treaty*, and the 1948 *Genocide Convention*.

To be sure, the chief Palestinian Authority spokesman still shamelessly instructs Wolf Blitzer, on *CNN*, that all the Palestinians really want is to live “side by side” with Israel. But the most recent Palestinian polls concerning a Two-State Solution indicate that this instruction is preposterous, on its face. One must ask, does Saeb Erakat read the results of his own polls?

More precisely, the September 2015 Palestinian-conducted poll revealed that almost half of the resident Arab population strongly favors expanding the use of armed force and generalized violence against Israeli noncombatants. This

preference, moreover, was unchanged by any conceivable Israeli willingness to accept Palestinian statehood. So, why did the Palestinians launch *Intifada Number 3* in the first place?

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Why do they weep and express outrage, when young Palestinians, who have thrust their sacrificial knives into innocent Jewish passerby, are then immobilized or shot? What should they expect?

In any meaningful sense, these young murderers are certainly not “lone wolves.” Rather, they have been spurred on by endless PA incitements to terror- violence, and by reinforcing corollary encouragements from the mosques. Above all, they have been captivated by the uniquely compelling Islamist promise of *power over death*, a power reserved for “martyrs.”

America and the West should finally understand. There are no jurisprudential ambiguities in this predatory Palestinian program of random assaults against civilians. The relevant law is perfectly clear. Murder is never an acceptable path to “self-determination.”

Under authoritative international law, violence against the innocent can never represent a permissible expression of a properly revolutionary ethos.

Never.

America and the West should take heed. Unambiguously criminal violence is all that is now being perpetrated by Palestinians, in Israel. Nothing more.

Left to proceed toward a full and formal condition of

sovereignty, this proposed 23rd Arab state would assuredly continue its pre-independence program of war and terror against Israel. After all, from the indisputable standpoint of every operational Palestinian faction, all of Israel proper would still be designated as “occupied territory.” *Every last inch.*

Should there still be any doubt about this revealing Arab definition of an “occupation,” one need only to check the official PA and Hamas maps of “Palestine.” On each such map, Palestine is drawn to include all of Israel. Should there be any further doubts, one need simply recall that the Palestine Liberation Organization (PLO, forerunner of PA) was founded in 1964, three years before there were any “occupied territories.”

What, exactly, was the PLO trying to “liberate?” No programmatic ambiguities here. Then, as now, there was no Arab plan to live “side-by-side” with *any* Jewish state.

Never.

There is more. In time, the new Arab state, even if it should find itself governed by the Jihadists of Hamas and Islamic Jihad, and not by the more reassuringly “moderate” Palestinian Authority (PA) and Fatah, would almost certainly fall to ISIS.

If this complete takeover should be allowed to happen, the Arab terrorists of ISIS will lasciviously murder the Arab terrorists of Palestine. Plausibly, this will then be followed by ISIS enslavement of certain appealing remainders of the now-captive Palestinian population. In this altogether convincing narrative, it will eventually turn out that the truest barrier to Palestinian statehood *had never been Israel* – a nation which had, in fact, been seeking negotiated solutions for a very long time – but rather another organized and even more twisted band of Sunni fanatics. Then, Palestine

could very quickly become another Syria.

Of course, those who like Syria, will absolutely love Palestine.

Even if the Palestinian Authority (PA) and Hamas should together be able to garner Jerusalem's final accession to their always-jumbled, disjointed, and fratricidal statehood claims,[\[1\]](#) From the particular standpoint of international law, all Palestinian claims for a state remain contrived and unsupportable. Even now, the Palestinians are unable to meet any of the codified expectations listed at the 1934 *Convention on the Rights and Duties of States* (the "Montevideo Convention"), the treaty governing statehood in applicable law. On their official maps, moreover, both the Palestinian Authority (PA) and Hamas certify that their plan is for an exclusively "One-State Solution." This unhidden template, which identifies *all of Israel* as "occupied Palestine," amounts to the cartographic "genocide" of an existing state. As such, it is fundamentally inconsistent with both the 1934 *Treaty* obligations, and with "peremptory" (*jus cogens*) obligations established at the *United Nations Charter* and the 1948 *Genocide Convention*.

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