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[*Beyond Chutzpah: On the Misuse of Anti-Semitism and the Abuse of History*, Norman G. Finkelstein, University of California Press, 343 pages]

## The Chutzpah of Alan Dershowitz

By Michael C. Desch

ALAN DERSHOWITZ didn't want this book published. He threatened to take legal action against one press—which subsequently backed away from the project—and then tried to intercede with the governor of California when the University of California Press picked up the manuscript. Gov. Arnold Schwarzenegger refused to intervene, and *Beyond Chutzpah* saw print despite the First Amendment advocate's best efforts.

Dershowitz was right to be alarmed. Norman Finkelstein is no stranger to powerful opponents, and the usual invectives don't intimidate him. His 1995 *Image and Reality of the Israel-Palestine Conflict* was one of the first books in English to use Israel's "New Historians" to debunk the many myths surrounding the Jewish state. Among other things, Finkelstein, a DePaul University political science professor, demonstrated that even secular Labor Zionism was deeply committed to a fundamentally illiberal *reconquista* of Palestine that would inevitably require war with, and expulsion of, its Arab inhabitants in order to establish a Jewish homeland. He also exposed the lie that Palestine was a "land without a people for a people without a land," a rallying cry among early Zionists that was given a scholarly patina by Joan Peters in her infamous book *From Time Immemorial*.

In *The Holocaust Industry*, Finkelstein decried how Israel's supporters have used the tragic murder of six million Jews by the Nazis to justify Israel's hard-line foreign policy. And through an

exhaustive examination of Daniel Goldhagen's book *Hitler's Willing Executioners*, Finkelstein exposed a number of gaping holes in the former Harvard government professor's widely discussed thesis that most Germans had willingly supported Hitler's efforts to exterminate Europe's Jews.

Finkelstein's most recent book is likewise an exercise in scholarly truth-telling. In it, he exposes how the Israel lobby uses charges of anti-Semitism to stifle criticism of the Jewish state; challenges the notion that Israel's occupation of the West Bank and Gaza has been conducted with scrupulous attention to human rights and the rule of law; and, most importantly, reveals how in the course of making the case for Israel, the Jewish state's advocates have corrupted our national debate about one of the most important aspects of American foreign policy.

In much the same way that *A Nation On Trial* (with Ruth Bettina Birn) was an attack, hip and thigh, on Goldhagen, *Beyond Chutzpah* is a relentless and thoroughgoing dissection of two recent books by Dershowitz: *Why Terrorism Works* and *The Case for Israel*.

More than half of Finkelstein's book is devoted to sustaining his charge that *The Case for Israel* is "among the most spectacular frauds ever published on the Israel-Palestine conflict." Yet Finkelstein is not content with demonstrating that Dershowitz has written a very bad book; rather, he uses that finding to indict the more general "systemic institutional bias that allows for books like *The Case for Israel* to become national best sellers."

Finkelstein hauls Dershowitz to the dock for three scholarly offenses. First, he accuses Dershowitz of inconsistency bordering on hypocrisy. Exhibit A is Dershowitz himself, one of America's leading criminal-defense lawyers and one of our most eloquent defenders of civil liberties, presenting a brief for torture in *Why Terrorism Works*. Perhaps, as with many Americans, 9/11 forced Dershowitz to reconsider fundamental aspects of how he thought the world

works, and that explains his about-face. But Finkelstein demonstrates that well before 9/11, Dershowitz had already trimmed his liberal sails and begun to argue that torture was acceptable in some circumstances. What brought Dershowitz to that conclusion was not so much an intellectual epiphany but rather the growing role torture played in Israel's long-running fight against Palestinian terrorism. Dershowitz's commitment to Israel trumped his commitment to civil liberties, in Finkelstein's view.

Finkelstein also accuses Dershowitz of torturing the evidence. He alleges that Dershowitz selectively uses the work of Israeli New Historian Benny Morris to buttress his brief on Israel's behalf. Dershowitz's defense strategy relies quite heavily on Morris, whose work has done much to challenge many of the founding myths of the Jewish state, as evidence that even critics of Israel support his contention "that Israel is innocent of the charges being leveled against it." Why? Because "no other nation in history faced with comparable challenges has ever adhered to a higher standard of human rights, been more sensitive to the safety of innocent civilians, tried harder to operate under the rule of law, or been willing to take more risks for peace."

There are two problems with Dershowitz's heavy reliance on Morris. The first is that Morris is hardly the left-wing peacenik that Dershowitz makes him out to be, which means that calling him as a witness in Israel's defense is not very helpful to the case. The more important problem is that many of the points Dershowitz cites Morris as supporting—that the early Zionists wanted peaceful coexistence with the Arabs, that the Arabs began the 1948 War to destroy Israel, that the Arabs were guilty of many massacres while the Israelis were scrupulous about protecting human rights, and that the Arabs fled at the behest of their leaders rather than being ethnically cleansed by the Israel Defense Forces—turn out to be based on a partial reading or misreading of Morris's books. Finkelstein documents these charges in exhaustive detail in



Appendix II of his book and the preponderance of evidence he provides is conclusive.

Finally, Finkelstein charges Dershowitz with academia's capital offense: plagiarism. According to Harvard University's regulations: "Plagiarism is passing off a source's information, ideas, or words as your own by omitting to cite them." This includes advancing another's ideas as your own without citation; using the same structure of organization without citation; passing off someone else's data as your own; as well as the most common form of plagiarism, which is using someone else's words without quotation marks.

Finkelstein does not accuse Dershowitz of the wholesale lifting of someone else's words, but he does make a very strong case that Dershowitz has violated the spirit, if not the exact letter, of Harvard's prohibitions of the first three forms of plagiarism.

Prudent scholars always keep in mind that there may be a graduate student lying in wait for them. Aspiring academics have powerful incentives to critique prominent books and articles because if they succeed in knocking down a leading theory or idea, they will be well on their way to a successful academic career—except perhaps at the home institution of their target. Dershowitz

had the misfortune to run into such a graduate student in Finkelstein. While he was writing his doctoral dissertation at Princeton on the intellectual foundations of Zionism, Finkelstein read Joan Peters's *From Time Immemorial*, which asserted that there were few Arabs in Palestine until after the last decade of the 19th century, when Jewish settlers arrived and began to make the desert bloom. Finkelstein knew from his own work that the founding fathers of Zionism did not believe this, and the more he looked at Peters's demographic and historic evidence the more he became convinced that it was deeply flawed. Peters's thesis was eventually discredited, in large part by the distinguished Israeli historian Yehoshua Porath, and is no longer given credence by scholars.

Having looked closely at Peters's book in the course of demolishing her thesis, it quickly became apparent to Finkelstein as he was reading *The Case for Israel* that Dershowitz owed Peters an enormous debt. Although Dershowitz distanced himself from Peters's discredited claims (thus implicitly admitting he knew Peters's argument was specious), he nonetheless appropriated a number of her central arguments—that few Arabs lived in Palestine until after large numbers of Jews arrived and that Arab violence against Jews predated large-

scale Jewish immigration—and many of her footnotes without proper citation. Finkelstein's book contains another separate appendix laying out his bill of particulars on this charge. In one telling instance, he notes that Dershowitz employs without attribution a neologism that Peters coined—"turnspeak"—and then wrongly attributes it to George Orwell, who coined a different phrase, "newspeak." He does this to justify not citing Peters.

Not only did Dershowitz improperly present Peters's ideas, he may not even have bothered to read the original sources she used to come up with them. To support this particularly damning indictment, Finkelstein somehow managed to get uncorrected page proofs of *The Case for Israel* in which Dershowitz appears to direct his research assistant to go to certain pages and notes in Peters's book and place them in his footnotes directly.

Once Finkelstein leveled his charges and announced he would make them the centerpiece of his new book, Dershowitz launched his extraordinary campaign to prevent the book's publication. If the University Press and the governor of California acquitted themselves honorably, the same cannot be said of Harvard or much of the intellectual elite of the rest of the country.

In the wake of a number of similar complaints against Dershowitz and two of his Harvard Law School colleagues, Laurence Tribe and Charles Ogletree, former Harvard President Derek Bok conducted an investigation—the details of which were not made public—that predictably vindicated Dershowitz. All of this took place in a climate on campus in which Harvard's current president, Lawrence Summers, criticized proponents of divestment from Israel in a major speech he gave lamenting the supposed re-awakening of anti-Semitism around the world. The implication was that proponents of divestment were not only pursuing ill-advised policies (a reasonable point), but were actually part of this "upturn in anti-Semitism" (an unfair charge).

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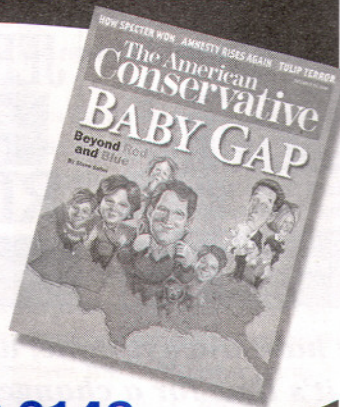
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Even if Finkelstein's most serious charges are not true, it is nonetheless a scandal that Dershowitz's sloppy book was widely and favorably reviewed in many prominent places, including the *New York Times*, and became a national bestseller. (Its bestseller status probably should include an asterisk because, as Finkelstein notes, some American Jewish organizations and the Israeli government bought bulk orders of the book to use as part of their efforts to advance Israel's case.) Nothing could be better evidence, in my opinion, of the corrosive influence of the Israel lobby on the intellectual climate of our country than how our intellectual elites and the nation's leading university allowed such a book to pollute our national discourse on one of the most important issues facing American foreign policy.

This is not to say that Finkelstein is always the best advocate for his case. As with his previous books, it is clear that his muse is his spleen. Outrage drips from nearly every page of *Beyond Chutzpah* when facts alone would have made a more effective case. Indeed, I had a similar reaction when I heard Finkelstein speak at Harvard about the Goldhagen book: the facts were clearly in his corner but his strident presentation undermined his case.

Still, I hesitate to be too critical of Finkelstein. Much of his outrage is justified. Moreover, he has been on the front-line of a brutal war with the Israel lobby, which gives no quarter to its enemies, and so it may be unreasonable to him expect him to write on this topic with clinical detachment.

The story Finkelstein tells in *Beyond Chutzpah* is hard to believe, but it needs to be told. My hat is off to him for having the courage to tell it. ■

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[*Lunar Park*, Bret Easton Ellis, Knopf, 320 pages]

## The Beautiful and the Damned

By James G. Poulos

HERE'S THE RAP: Bret Easton Ellis, author of *American Psycho* and *Less Than Zero*, best-selling chronicler of sex-and-death-crazed rich people, sex-and-death-crazed beautiful people, and their sex-and-death-crazed children, crashes and burns after two decades of drug-fueled celebrity and flees to the suburbs. He begins his latest novel, a "pornographic thriller," safely ensconced in the "routine affluence" of suburban Midland County. Mercifully distant from the jagged and mournful wreckage of urban America, post-celebrity Bret must move through the foreign spaces of domesticity and out of his own, less merciful, emotional isolation.

The central conflict in *Lunar Park*, Ellis's semi-autobiographical follow-up to the *fin de siècle* nightmare of *Glamorama*, is his own dangerous presence in his new, becalmed life. His past, and the present it gnaws upon, is the chaos threatening home, hearth, and family. At 307 Elsinore Lane, the fictional Bret lives in the architectural embodiment of a prescription-based coping mechanism—"large, carefully designed empty spaces merged seamlessly into one another to give the illusion that the house was far grander than it actually was." "I had canceled my subscription to *I Want That!*," he explains, "and for a while I was okay. One day late in August I drove by a simple field dotted with poplars and I suddenly held my breath. I felt a tear on my face. I was happy, I realized with amazement."

But Bret can't leave the drugs and the booze alone. And he can't keep his hands off the student body to whom he teaches creative writing. And the weird

e-mails, the local murders, and the strange behavior of his daughter's toy bird, as they accumulate, all seem to reflect the malevolent presence of his own internal demons. Bret's barren legacy—of a family broken by its father, of a lifetime spent thrashing luridly through the depths of narcotics and narcissism—looms over his workaday woes, glowering.

That's when the horrors—the very supernatural horrors—begin to flow in.

*Lunar Park* is an exorcism, real and figurative, of a life spent stretched between relentless publicity and nihilistic isolation: the famous writer's life, a schizophrenia of outsiderdom and insiderdom. The novel's assessment of the real Bret Easton Ellis's life, love, and loss—brought off with such a gnarled combination of mockery, remorse, numbness, fright, and irony—doesn't resonate with the virtuosity of style and craft present in, say, *Glamorama*. Unlike the shop-window purgatory of that book, or the phantom hell of *American Psycho*, *Lunar Park* is only as good as its truths. Its redeeming virtue is the same humility and confessional weakness that makes the book such a far, forlorn cry from the cruel satire of Ellis's earlier work. *Lunar Park*'s Bret never leans his heroin-soaked head into the oven or climbs into a bathtub of ice and sleeps. The waste product of his emotional catharsis is beyond hope. But the love finally captured after several hundred pages of cocaine, adultery, alcoholism, betrayal, butchery, rictuses, and rectums is so defenseless, so childlike, that it also carries *Lunar Park* beyond its flaws.

Honest love is a topic that has not made Ellis much money. This is on account of its near-total absence from the books that made him famous—*Less Than Zero* and *American Psycho*, novels that launched a thousand ships of hype centered around "kids these days" in the first case and "yuppies these days" in the second. His other books—*The Rules of Attraction*, *Glamorama*, and short-story collection *The Informers*—were all dependent upon first-person