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Perpetrators as Victims

Last week the United Nations Panel of Inquiry, known as the "Palmer Commission," released the findings of its investigation into the killing of nine civilians in May, 2010 by the Israeli navy when its commandoes forcibly boarded ships bound from Turkey with humanitarian aid for the people of Gaza. The Report is an instructive lesson into how high crimes and murder become transformed in a way that reverses the roles of victims of crime and perpetrators of criminal acts. While the Commission lamented the loss of life – who wouldn't lament the deaths of innocent civilians – the Report is essentially a shameless exoneration of Israel and its practices of piracy and disregard for human life.

George Orwell, in his celebrated essay on politics and language (1946), observed that propaganda "is designed to make lies sound truthful and murder respectable." If Orwell only had the opportunity to read the Palmer Commission Report, he would probably have found a sadly ironic confirmation of his insightful observation. While to the Palmer Commissioners murder is not quite respectable, its perpetrators in the Israeli Navy who boarded the Mavi Marmara and the Turkish ships bound for Gaza continue to go unpunished in what is now an officially sanctioned miscarriage of justice.

Where the Palmer Commission differs somewhat from Orwell is that authors of the Report craft the deflection of responsibility and blame away from Israel not by blatant exaggeration of truth but through much more subtle mechanisms of language and communication known as "framing." Casting a frame over a story is a way of defining the story's basic reference points. Framing shapes the content by posing questions and making choices about what is included in a story and what is omitted.

The authors of the Palmer Report exonerate Israel through a simple 2-step frame, first by casting the incident of murder aboard the Turkish ships within the context of the maritime blockade of Gaza, and then once this context is set, by proclaiming the blockade to be both legal and morally legitimate. It is a subtle but potent frame for the narrative because once the blockade is elevated to the status of legality and even moral legitimacy, it becomes much easier to argue, as the Panel actually does, that "the flotilla acted recklessly in trying to breach the naval blockade" (p. 4). In this way, the perpetrators of the crime are removed from accountability and the victims become the

reckless instigators of the criminal act in question. From the perspective of Orwell, it is an astonishing leap of logic which makes for predictable end result. Israel is scolded for using excessive force “but a scolding is a far cry from an indictment for a crime. Under the auspices of the United Nations, murder becomes a regrettable act in which the dead are at least partly responsible for their fate.

In what is extremely disturbing about these conclusions, the route to this frame taken by the Commission is replete with contradiction. The Report notes that the Commission “is not a court” and was neither empowered nor asked “to make determinations on the legal issues” of the incident in question (p. 7). Nevertheless, the Commission proceeded to overstep its own mandate when it concluded at the beginning of its Report that Israel’s maritime blockade of Gaza was legal and in the reasoning of the Commission, because the blockade is legal, so too is enforcement of the blockade. In this way, murder is deliberately manipulated into a more complex legal issue. The question to ask, however, is why would the Commission make go to such lengths to elevate the legality of the blockade especially when the UN’s own Human Rights Commission has already ruled that the blockade is illegal? Making the blockade legal makes it much easier to indict those trying to break the blockade as reckless. This is precisely what the Commission has done.

Much of what emerges from this Report can be explained by the composition of the Panel and the way it conducted its work. The chair was Geoffrey Palmer, former prime minister of New Zealand while the vice chair was Alvaro Uribe, former president of Colombia and a staunch ally of the U.S and of Israel. Two more individuals composed the Panel, one a representative from Israel, the other from Turkey. The Commission simply reviewed reports on the incident prepared by governments of Israel and Turkey and attempted to balance the two differing accounts of what transpired. The Panel was instructed to work by consensus and thus with two members of the Panel solidly pro-Israel, the work of this Commission could never have come to any conclusions critical of Israel. In this sense, the Commission and its Report are fundamentally flawed.

There is perhaps only one honorable element in this seriously compromised document. On the last page of the document (p. 105) in an appendix, the Turkish member of the Panel, Mr. Süleyman Özdem Sanberk, registers his disagreements with virtually all of the Panel’s major findings. What he lists as his first objection in the Report is instructive: “The question of the legality of the blockade imposed on Gaza by Israel.” Besides those elements of the Report presented by the Turkish representative to the Panel, there is little in this Report that resembles truth or justice. The Government of Turkey has asked Israel for an apology for what the Israeli Navy did on the High Seas in International Waters in killing nine people. So far Israel has refused. An eternity may have to pass before Israel will admit to its actions.

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