

Israeli university welcomes ‘war crimes’ colonel

Attacks on Gaza civilians sanctioned by military lawyer

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Theme: [Law and Justice](#)
In-depth Report: [PALESTINE](#)

NAZARETH. The Israeli government has moved quickly to quash protests over the appointment of the army’s senior adviser on international law to a teaching post at Tel Aviv University. Col Pnina Sharvit-Baruch is thought to have provided legal cover for war crimes during the recent Gaza offensive.

Government officials fear that recent media revelations relating to Col Sharvit-Baruch’s role in the Gaza operation may assist human rights groups seeking to bring Israeli soldiers to trial abroad.

A Spanish judge began investigating Israeli war crimes in Gaza under the country’s “universal jurisdiction” laws this month, and a prosecutor at the International Criminal Court in The Hague is considering a Palestinian group’s petition to indict Israeli commanders.

Meanwhile, the furore — by highlighting the close ties between the army and Israeli universities — is adding weight to a growing campaign in Europe and the US to impose an academic boycott on Israel, say activists.

Tel Aviv University’s decision to hire Col Sharvit-Baruch to teach international law prompted protests from staff after the local media published details of the military planning for the Gaza offensive.

More than 1,300 Palestinians were killed during the operation, the majority of them civilians, and thousands were injured.

According to critics quoted by the Haaretz newspaper, Col Sharvit-Baruch and her staff manipulated standard interpretations of international law to expand the scope of army operations to include civilian targets.

Leading the protest is Haim Ganz, a law professor who has called the colonel’s approach to international law “devious jurisprudence that permits mass killing”. In a letter to the university, Prof Ganz said he was lodging “a moral protest against a state of affairs where somebody who authorised these actions is teaching the law of war”.

Last week Ehud Olmert, the prime minister, threatened to cut government funding for the law faculty should Col Sharvit-Baruch’s appointment not proceed. The university’s president, Zvi Galil, phoned the cabinet secretary to reassure the government, saying Prof Ganz’s opinions were not shared by most staff.

Other academics have rallied in support of Col Sharvit-Baruch, accusing her critics of

waging a McCarthyite campaign against her.

According to the Israeli media, she personally approved the first wave of air strikes in Gaza that targeted a police graduation ceremony, killing at least 40 cadets.

Although police forces have civilian status in international law, and are therefore protected from military reprisal, Col Sharvit-Baruch is reported to have revised her opinion of the attack's legality during the many months of planning.

In addition, she is said to have "relaxed" the rules of engagement, approved widespread house demolitions and the uprooting of farmland, and sanctioned the use of incendiary weapons such as white phosphorus over the densely populated enclave.

She also offered legal justification for the targeting of buildings in which civilians were known to be located as long as they had been warned first to leave. Schools, mosques and a university were among the many civilian buildings shelled by the Israeli army during the 22-day operation.

Her decisions have been widely criticised by international human rights organisations as well as by international law experts in Israel.

The professor Yuval Shany, who teaches public international law at Hebrew University in Jerusalem, called her interpretation of the rules of war "flexible". Regarding the strike against the police cadets, he said: "If you follow that line, there is not much that differentiates [the cadets] from [Israeli] reservists or even from 16-year-olds who will be drafted [into the Israeli army] in two years."

Col Sharvit-Baruch's predecessor, Daniel Reisner, noted that her staff had stretched the accepted meanings of international law. The army's operating principle, he added, was: "If you do something for long enough, the world will accept it."

Orna Ben-Naftali, the dean of law at the College of Management in Rishon Letzion, said the army's conduct in Gaza had made international law "bankrupt". "A situation is created in which the majority of the adult men in Gaza and the majority of the buildings can be treated as legitimate targets. The law has actually been stood on its head."

But despite the protest at Tel Aviv University, most academic staff in Israel supported Col Sharvit-Baruch's appointment, said Daphna Golan, a programme director at the Minerva Center for Human Rights at Hebrew University. "I think even Prof Ganz has been frightened into silence by the backlash."

The episode, she said, highlighted the intimate relations between the army and universities in Israel, as well as the dependence of the universities on army funding.

She noted that there were many special programmes designed to favour army and security personnel by putting them on a fast track to degrees.

"Most of the professors in the country's Middle East departments — the 'experts on Arabs' who shape the perceptions of the next generation — are recruited from the army or the security services," she added.

Omar Barghouti, a co-ordinator of the Palestinian Campaign for the Academic and Cultural

Boycott of Israel, said Col Sharvit-Baruch's employment was a further indication of the "organic ties" between Israeli institutions and the army.

"This just adds one more soldier to an already very long list of war criminals roaming around freely in Israeli universities, teaching hate, racism and warmongering, with impunity," he said.

He noted that calls for an academic boycott were growing in the wake of the Gaza offensive.

Al-Quds University, with campuses in East Jerusalem and the West Bank, severed its contacts with Israeli universities last week. It had been the last Palestinian university to maintain such ties.

At the same time, a group of US professors announced that they were campaigning for an academic boycott of Israel — the first time such a call has been heard in the US.

Mr Barghouti said an "unprecedented" groundswell of popular opinion was behind new campaigns in countries such as Australia, Spain, Sweden, Canada, South Africa and New Zealand.

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