

## **John Hall: Still the One?** Altnet March 8, 2010 by Stephen Zunes [[source link expired](#)]

In the face of expected Republican gains this year, receiving the support of MoveOn, one of the country's largest progressive advocacy groups, is of particular importance for Democratic candidates. One of only a handful of House incumbents to receive the coveted endorsement by MoveOn's political action committee is Democrat John Hall, who represents the 19th district in upstate New York.

John Hall is the former front man for the band Orleans ("Dance with Me," "Still the One," etc.) As a solo act, he was the writer of a number of additional songs of note, including "Power" — recorded by Holly Near and others — which became something of an anthem of the anti-nuclear movement. He was one of the co-founders of Musicians United for Safe Energy (M.U.S.E.) and a long-time supporter of various progressive causes, through which I got to know him personally. In what was initially seen as a progressive victory, Hall was elected to the U.S. House of Representatives from the 19th district in upstate New York in 2006.

Since being elected to Congress, however, Rep. Hall has moved far to the right. Despite hopes that he would become a leading voice in support of human rights, Hall has instead gone in the opposite direction. Last year, he shocked his progressive supporters by co-sponsoring two resolutions defending a series of war crimes by a right-wing Middle Eastern government allied with the United States and endorsing war against Syria and Iran.

Hall's first resolution (H. Res. 34), passed last January during Israel's massive assault on the heavily-populated Palestinian enclave of the Gaza Strip, insisted that the high numbers of civilian casualties was not the result of yet another implementation of the Dahiya Doctrine — the widely-known Israeli military policy of inflicting overwhelmingly disproportionate casualties on civilian populations in urban settings — but a result of Hamas using "human shields." Subsequent detailed empirical studies by Amnesty International, Human Rights Watch, and the UN Human Rights Council, however, failed to find any such cases of Hamas deliberately using civilians against their will to deter attacks. His second resolution, written long after these studies had been published, similarly insisted there was widespread evidence of Hamas using human shields, but when asked to give even a single example of Hamas doing so, his office refused comment.

Rep. Hall did not stop with this apparent fabrication, however, in his effort to defend the killing of over 700 civilians by Israeli armed forces. His resolution "calls on all nations ... to lay blame both for the breaking of the calm and for subsequent civilian casualties in Gaza precisely where blame belongs, that is, on Hamas" (emphasis added). Even putting aside disagreements among outside observers as to whether Hamas was indeed the party primarily guilty for "the breaking of the calm," Hall appears to be making the argument that if one party initiates a conflict, then the other party therefore has no moral or legal responsibility for war crimes they may subsequently commit. This constitutes a radical reworking of international humanitarian law, essentially legitimizing massive war crimes by a nation's armed force if the other side allegedly initiates hostilities. Such an re-interpretation, for example, would mean that the large-scale civilian casualties inflicted by Russian forces in Georgia during the 2008 conflict between those countries lies solely with the Georgian government, since they initiated the conflict by shelling civilian areas in South Ossetia.

In reality, international humanitarian law forbids the killing of civilians, even if the other party is using and human shields and even if the other party started the war.

As various human rights groups began to detail the widespread violations of international humanitarian law by both Hamas and the Israeli government during that three-week conflict, Rep. Hall helped launch a campaign to discredit those who documented such war crimes. Even the UN-sponsored commission chaired by the highly-respected South African jurist Richard Goldstone was not immune from Hall's attacks. When it appeared that the findings of this blue-ribbon panel was to be referred to the UN Security Council, Hall co-sponsored another resolution (H. Res. 867) insisting that the mission's report was "irredeemably biased." Given that the Goldstone mission largely reiterated those of Amnesty International, Human Rights Watch, and other groups, this was widely interpreted as an attack on the human rights community as a whole, particularly as Hall appears to have deliberately misrepresented what was actually in the report.

The report contained over 70 pages detailing a series of violations of the laws of war by Hamas, including rocket attacks into civilian-populated areas of Israel, torture of Palestinian opponents, and the continued holding of kidnapped Israeli soldier Gilad Shalit. However, as part of his desperate effort to discredit the report by making it appear to be biased against Israel, Hall only referred to its criticism of Israeli conduct, failing to acknowledge anywhere in his 1600-word resolution that the report criticized the conduct of both sides. In fact, despite the report's extensive documentation of Hamas assaults on Israeli towns — which it

determined constituted war crimes and possible “crimes against humanity” — Hall’s draft resolution insisted that it “makes no mention of the relentless rocket and mortar attacks.”

The Goldstone mission report, totaling 575 pages, contains detailed accounts of deadly Israeli attacks against schools, mosques, private homes, and businesses nowhere near legitimate military targets, which they described as “a deliberately disproportionate attack designed to punish humiliate and terrorize a civilian population.” In particular, the report cites 11 incidents in which Israeli armed forces engaged in direct attacks against civilians, including cases where people were shot “while they were trying to leave their homes to walk to a safer place, waving white flags.” Hall’s resolution, however, claims that such charges of deliberate Israeli attacks against civilian areas were “sweeping and unsubstantiated.” His office refused to comment as to why he found the meticulously-detailed report, which largely reiterated findings of previous reputable human rights investigations, of such questionable validity.

Hall’s resolution also claims that the Goldstone commission report somehow denied Israel’s right to self defense. In reality, the report only reiterated that neither Israelis nor Palestinians have the right to attack civilians. Hall’s office refused to say where in the report was this alleged questioning of Israel’s right to use military force to defend itself, an apparently indication that Rep. Hall believes that killing innocent civilians should be considered a legitimate act of self-defense, at least if the perpetrator is a U.S. ally. Hall even goes as far as insisting that Goldstone’s report is part of an effort “to delegitimize the democratic State of Israel and deny it the right to defend its citizens” and that the report’s very existence “can be used to delegitimize other democracies and deny them the same right.” This is but one example of the extent of Hall’s demagoguery: In insisting that documenting a given country’s war crimes is tantamount to denying that country’s right to exist and its right to self defense, Hall is clearly attempting to discredit defenders of international humanitarian law and intimidate them into silence.

Indeed, the resolution calls on the Obama administration not only “to oppose unequivocally any endorsement” of the report, but to even oppose unequivocally any “further consideration” of the report in international fora. Instead of debating its merits, therefore, Hall decided to instead pre-judge its contents and disregard the actual evidence put forward. Indeed, there is no indication that he even actually bothered to read the report.

Hall’s resolution resolves that the report is “irredeemably biased” against Israel, an ironic charge given that Justice Richard Goldstone, the report’s principal author and defender, is Jewish, a longtime supporter of Israel, chair of Friends of Hebrew University, president emeritus of the World ORT Jewish school system, and the father of an Israeli citizen. Goldstone was also a leading opponent of apartheid in his native South Africa and served as Nelson Mandela’s first appointee to the country’s post-apartheid Supreme Court. He was a principal prosecutor in the war crimes tribunals on Rwanda and the former Yugoslavia, took a leading role in investigations into corruption in the UN’s “Oil for Food” program in Iraq, and was also part of investigations into Argentina’s complicity in providing sanctuary for Nazi war criminals.

Hall also singles out Goldstone Commission member Christine Chinkin for attack in his resolution for noting, prior to her joining the commission, that Israeli attacks on the Gaza Strip’s civilian infrastructure was not commensurate to the deaths caused by Hamas rocket fire, which she also condemned. Chinkin is an internationally respected British scholar of international law, feminist jurisprudence, alternative dispute resolution and human rights who — like Justice Goldstone — had never shown any ideological bias against Israel.

Yet Hall, in an effort to justify war crimes by a U.S. ally, decided to co-sponsor a resolution attacking the integrity of some of the world’s most respected and principled defenders of human rights. Hall apparently believes that the credibility of any human rights defender must be attacked if they dare raise questions about the conduct of a U.S. ally. This may actually be the underlying purpose of his resolution: to jettison any consideration of international humanitarian law from policy debates in Washington. The cost, however, will likely be to further isolate the United States from the rest of the world, just as President Barack Obama was beginning to rebuild the trust of other nations.

Indeed, Hall’s resolution appears designed in part to undermine Obama’s efforts to reverse the saber-rattling of the Bush administration toward hostile governments in the region and to goad Israel, as an American proxy, to make war. Following earlier clauses in the resolution that define Israel’s massive military assault on the civilian infrastructure of the Gaza Strip as a legitimate defense of its citizens and that make the exaggerated assertion that Iran and Syria are “sponsors” of Hamas, the final clause in his resolution “supports Israel’s right to defend its citizens from violent militant groups and their state sponsors.” (emphasis added.) In short, Hall is calling for a unilateral Israeli attack on Syria and Iran.