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September 1, 2005

Lynne Withey
Director of the University of California Press
2120 Berkeley Way
Berkeley, CA 94704-1012

Dear Ms. Withey:

I write to point out serious errors, lies, and mischaracterizations in Norman Finkelstein's book, *Beyond Chutzpah*.

I have previously expressed my concern that the University of California Press, an established academic publishing house, would choose to publish Finkelstein's book. Now that I have completed my initial reading of the book, I see that my concerns were all well-founded. After only a single reading, I have discovered that Finkelstein's new book is riddled with the hatred, mischaracterizations, and falsifications for which Finkelstein is known.

As you are aware, I never intended to prevent publication of Finkelstein's book. As I wrote to you on December 3, 2004, "...I have no interest in censoring any publication. But I do insist that a book, 'a large part of which is devoted to Alan Dershowitz' has been checked for accuracy and that all appropriate measures have been taken to assure that its biased and defamatory author does not include within it maliciously false information." My previous letters to the this Press were stimulated by an e-mail Finkelstein wrote to the dean of the Harvard Law School that included the following:

I am right now completing a book manuscript for University of California Press, a large part of which is devoted to Alan Dershowitz. I spoke today to Sara Rimer who informed me that Harvard "completely exonerated" Dershowitz of all plagiarism charges.... My book will devote a full chapter to conclusively documenting Dershowitz's plagiarism. I will also demonstrate that he almost certainly didn't write the book, and perhaps didn't even read it prior to publication.

Finkelstein even went so far as to claim that I do not write *any* of my books. "[I]t's sort of like a Hallmark line for Nazis...[T]hey churn them out so fast that he has now reached a point where he doesn't even read them."¹ As I have written, the First Amendment does not protect the dissemination of knowingly and willfully false and defamatory information, even about a public figure.

Further, I was disappointed that the University of California Press agreed to publish a book about Israel by an author who had boasted to *The Jerusalem Report*, "I don't really

¹ "Norman Finkelstein 'Ambushes' Alan Dershowitz" (Part II): TheExperiment, Dec. 6, 2003, accessible at http://theexperiment.org/articles.php?news_id=1991.

know very much about Israel” and have never visited the country.² His ignorance of the region notwithstanding, Finkelstein harbors a radically anti-Zionist agenda, summarized by the following statement of his: “I can’t imagine why Israel’s apologists would be offended by a comparison with the Gestapo.”³ Why would a university press give its imprimatur of approval to an author who has been described in *The Washington Post* as “a writer celebrated by neo-Nazi groups for his Holocaust revisionism and comparisons of Israel to Nazi Germany.”⁴ Put another way, my dispute with this Press has never been about academic *freedom*; rather, it is about academic *standards*. If editorial discretion were the same thing as censorship (and that is the precise confusion of terms that this Press insinuated when it called my opposition “an attack on academic freedom”), publishing houses would be obligated to print every unsolicited manuscript mailed to its office, no matter how illogical, incomprehensible, or unscholarly the work.

Despite these concerns, this Press adamantly refused to hire a fact-checker, nor would it even send me a copy of *Beyond Chutzpah* in galley form. It is only just now that I have had a chance to read Finkelstein’s book. Had the University of California Press sent me a copy earlier, I would have been able to save the Press a great deal of professional embarrassment by correcting the book’s many errors, intentional mischaracterizations, and outright lies.

I have outlined only a few examples of these errors below. To document every falsehood would require a book the length of Finkelstein’s.

Example #1

On page 176 of his book, Finkelstein writes: “It is hard to make out any difference between the policy [of collective punishment that] Dershowitz advocates and the Nazi destruction of Lidice, for which he expresses abhorrence—except that Jews, not Germans, would be implementing it.”

My proposal involved the destruction of a few “empty houses” that had been used to harbor terrorists. All residents would first be removed and housed elsewhere.⁵ No human beings would be physically harmed. The Nazis, on the other hand, murdered nearly all the residents of Lidice—men, women and children. The comparison is obscene and mendacious, but it is part of Finkelstein’s bizarre worldviews that repeatedly compare Israeli self-defense policies with Nazi genocide.

Any competent fact-checker could easily have discovered the enormous difference between my benign proposal to destroy vacated houses used for terrorism, and the willful

² Mike Steinberger, “He Could Have Been a Star,” *Jerusalem Report*, August 28, 2000, p. 44.

³ John Dirluk, “Canadian Jewish Organizations Charged with Stifling Campus Debate,” *Washington Report on Middle East Affairs*, April/May 1992, p. 43.

⁴ Marc Fisher, “Campus Should Cultivate Its Seeds of Debate,” *Washington Post*, December 3, 2002.

⁵ Alan M. Dershowitz, *Why Terrorism Works* (New Haven, CT: Yale, 2002), p. 177 (“[Israel] would then publicly declare precisely how it will respond in the event of another terrorist act, such as by destroying *empty houses* in a particular village that has been used as a base for terrorists, and naming that village in advance.”) (emphasis added).

murder of the innocent men, women, and children of Lidice. But the University of California Press adamantly refused to assign a fact-checker to this book despite repeated requests by me and by others that they do so. Even the National Enquirer has a fact-checker who calls those who are the objects of its calumny to give them an opportunity to respond, but not the scholarly University of California Press. This explains how the outrageous Lidice mischaracterization of my position found its way into print. I can imagine no other university press allowing a false analogy of this kind to pass muster. This Press claims that objective scholars reviewed this manuscript. Yet not a single one of them was inquisitive enough or perceptive enough to red flag this tendentious falsehood. (If by chance this argument was red-flagged and was still not corrected, it would speak volumes about the Press's partiality.) I can only imagine who these scholars are, and I can fully understand why the University of California Press has refused to publish their names. If I had been one of the scholars who had reviewed the book, I too would want to be left anonymous.

I await a response by this Press to this serious charge of violating even minimal academic standards in publishing this demonstrably false accusation against me.

Example #2

Finkelstein claims that I advocate “the application of ‘excruciating’ torture on suspected terrorists....”⁶ Again, he simply makes this up. I oppose torture. As I have written:

I am against torture as a *normative* matter, and I would like to see its use minimized. I believe that at least moderate forms of nonlethal torture are *in fact* being used by the United States and some of its allies today. I think that if we ever confronted an actual case of imminent mass terrorism that could be prevented by the infliction of torture, we would use torture (even lethal torture) and the public would favor its use....

I pose the issue as follows. If torture is, in fact, being used and/or would, in fact, be used in an actual ticking bomb terrorist case, would it be *normatively* better or worse to have such torture regulated by some kind of warrant, with accountability, recordkeeping, standards and limitations? *This* is an important debate, and a *different one* from the old, abstract Benthamite debate over whether torture can ever be justified. It is not so much about the substantive issue of torture as it is about accountability, visibility, and candor in a democracy that is confronting a choice of evils.⁷

Any competent fact checker would have picked up Finkelstein's mendacious mischaracterization of my position. Again, I await an explanation from this Press.

Example #3

⁶ Finkelstein, *Beyond Chutzpah*, p. 223.

⁷ Alan Dershowitz, “Tortured Reasoning,” in Sanford Levinson, ed., *Torture: A Collection* (New York: Oxford University Press, 2004), p. 266 (note omitted).

Finkelstein claims that “at a conference in Israel attended by Prime Minister Sharon, [Dershowitz] declared that Israel *was not at all bound by international law.*”⁸ He even purported to quote my statement, but—as is typical with Finkelstein—he simply distorted the actual quotation. This is precisely what I said:

Israelis are obliged to follow the rule of law that exists in the democracy called Israel the way I am obliged to follow the rule of law in the democracy called the United States. International law is not democratic. You are not participants of international law, you are excluded from the United Nations Security Council, you are excluded from the United Nations Commission on Human Rights, which included Libya and Syria and other wonderful compliers with human rights. Your moral obligation to comply with the letter of the rule of international law is voluntary; it is a matter of choice and a matter of tactic, not a matter of moral obligation or democratic theory. You were not represented in the making of those laws; you are not represented in the implementing of those laws. International law stands on a different footing—it lives or dies by its credibility, it doesn’t live or die by the process of democracy, by which it has been constructed. Moreover, I am not suggesting that anybody or any country violate the rule of law, what I am suggesting is a dynamic view of the rule of law—change it!⁹

I challenge this Press to justify Finkelstein’s distortion of my statement.

Example #4

Finkelstein also claims that I “provide ... no evidence or argument for [my] claims [that] the World Court” is not objective when it comes to Israel.¹⁰ Yet he willfully ignores the following “evidence” and “arguments” from my writings on the subject:

Contrast this with the questionable status of the International Court of Justice in The Hague. No Israeli judge may serve on that court as a permanent member, while sworn enemies of Israel serve among its judges, several of whom represent countries that do not abide by the rule of law.... Israel owes the International Court absolutely no deference. It is under neither a moral nor a legal obligation to give any weight to its predetermined decision....

[...]

⁸ Finkelstein, *Beyond Chutzpah*, p. 223 (emphasis added).

⁹ Alan Dershowitz, “Defending Against Terrorism Within the rule of Law,” speech, Herzliya Conference, December 18, 2003, accessible at http://www.herzliyaconference.org/Eng/_Uploads/933AlanDershowitz.pdf.

¹⁰ Finkelstein, *Beyond Chutzpah*, p. 200.

A judicial decision can have no legitimacy when rendered against a nation that is willfully excluded from the court's membership by bigotry.

Just as the world should have disregarded any decision against blacks rendered by a Mississippi court in the 1930s, so too should all decent people contemptuously disregard the bigoted decisions of the International Court of Justice when it comes to Israel. To give any credence to the decisions of that court is to legitimize bigotry.¹¹

Finkelstein also ignored the findings of scholars such as Eric Posner (whom I cite), who wrote in *The New York Times*:

Why have countries abandoned the [International Court of Justice]? The most plausible answer is that they do not trust the judges to rule impartially, but expect them to vote the interests of the states of which they are citizens. Statistics bear out this conjecture. When their home countries are parties to litigation, judges vote in favor of them about 90 percent of the time. When their states are not parties, judges tend to vote for states that are more like their home states. Judges from wealthy states tend to vote in favor of wealthy states, and judges from poor states tend to vote in favor of poor states. In addition, judges from democracies appear to favor democracies; judges from authoritarian states appear to favor authoritarian states. This is not to say that the judges pay no attention to the law. But there is no question that politics matter."¹²

Example #5

Finkelstein also asserts, without a scintilla of evidence, that Israel's security fence is *not* "designed to fight terrorism"¹³—an absurd claim that even most reasonable Palestinians would dismiss.

Example #6

In a flagrant distortion of remarks I have made, Finkelstein writes: "against the consensus of legal opinion and in a category virtually all his own, Dershowitz upholds the 'legal rights' of the Jewish settlers to 'live anywhere in the West Bank and in Gaza.'"¹⁴ This is not my view. Here's my actual remark, in context:

My opposition to the settlements deep in the West Bank and in Gaza is not based on the law. Indeed I have argued that Jews should have the right to live anywhere in the West Bank and in Gaza, as they should anywhere in the world. I believe, however, that in the interest of peace and the two

¹¹ Alan Dershowitz, "Israel follows its own law, not bigoted Hague decision," *Jerusalem Post*, July 11, 2004, p. 1.

¹² Eric A. Posner, "All Justice, Too, Is Local," *New York Times*, December 30, 2004, p. 23.

¹³ Finkelstein, *Beyond Chutzpah*, p. 204.

¹⁴ Finkelstein, *Beyond Chutzpah*, pp. 205-206.

state solution, the Jews who live in these settlements should be relocated either within the Green Line or within the area that is likely to become the final borders of Israel. The world should recognize, however, that this is in the nature of a compromise and that the Jewish settlers are being asked to surrender their legal rights in the interests of peace.¹⁵

I believe that no part of the world should be *Judenrein* (Jew-free) as the Nazis attempted to make Europe. That was not my point. I know of no legal scholar who disputes this. I also believe that compromises must be made for the sake of ending conflict. Finkelstein slices and dices my statements in order to prevent his readers from seeing my actual positions, which favor peace. I challenge this Press to justify Finkelstein's total distortion of my position.

Example #7

Finkelstein disputes my claim that Arafat would not “surrender the right of more than 4 million Palestinians to return to Israel...”¹⁶ He claims that there is “no evidence *at all from any sources with firsthand knowledge* of the negotiations that Palestinian insistence on implementing the right of return caused the peace negotiations to collapse.”¹⁷ This is a flat out lie. Former President Bill Clinton, former U.S. Envoy to the Middle East Dennis Ross, and Former Prime Minister Ehud Barak—among other eyewitnesses—blame the failure to make peace based on the Barak-Clinton proposals on Arafat's refusal to give up the so-called “right of return.”¹⁸ Why did the University of California Press not catch this easily checkable falsehood?

Example #8

Finkelstein claims there is no support for my statement that Palestinian terrorists exploded “an antipersonnel bomb made of nails soaked in rat poison.”¹⁹ His proof: a report on Palestinian suicide bombers issued by Human Rights Watch “makes no mention of any of these allegations” and another report by Amnesty International called on “Israel to investigate the use by Israeli settlers of ‘toxic chemicals’ for the purpose of ‘poisoning’ Palestinian fields.”²⁰

Before publishing *The Case for Israel*, I sent a research assistant to Israel to confirm reports that rat poison, an anticoagulant, had been used by suicide bombers. She confirmed it with several emergency room doctors. Moreover, a quick search on Google provided dozens of accounts, from news reports and medical journals, of the use of rat

¹⁵ “Q&A with Alan Dershowitz,” *Jerusalem Post*, October 20, 2004, accessible at <http://www.jpost.com/servlet/Satellite?pagename=JPost/JPArticle/ShowFull&cid=1098245482666&apage=1>.

¹⁶ Dershowitz, *The Case for Israel*, p. 110.

¹⁷ Finkelstein, *Beyond Chutzpah*, p. 310 (emphasis added).

¹⁸ See Bill Clinton, *My Life* (New York: Knopf, 2004), pp. 943-944; and Dennis Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, 2004), p. 756.

¹⁹ Alan Dershowitz, *The Case for Israel* (Hoboken, NJ: Wiley, 2003), p. 193.

²⁰ Finkelstein, *Beyond Chutzpah*, p. 108.

poison. The fact that neither Human Rights Watch nor Amnesty International—which report virtually every uncorroborated rumor against Israel—saw fit to mention this allegation says more about the bias of these organizations than it does about the accuracy of my claim.

Example #9

In addition to accusing me of not having written *The Case for Israel*, Finkelstein has also accused me of plagiarizing it from a 1984 book by Joan Peters entitled *From Time Immemorial*. He had previously claimed, falsely, that Peters had also plagiarized her book, which he called a “hoax.”²¹ Finkelstein’s plagiarism claim against me was absurd on its face. I asked Harvard to investigate it when it was first leveled. Finkelstein acknowledges that “former Harvard president Derek Bok, ‘a scholar of unquestioned integrity,’ had looked into the charges against Dershowitz and ‘found that no plagiarism had occurred.’ The matter was ‘closed.’”²² Yet Finkelstein persists in making this charge, since it is part of his long pattern of leveling personal attacks against those who support Israel or justice for Holocaust survivors, rather than engaging them on the merits of their views. I document this pattern in Chapter 16 of my new book, *The Case for Peace*.

In order to level his spurious charge of plagiarism, Finkelstein had to make up a false quotation, which he called the “smoking gun”:²³ “[I]n the [galley] proofs, it . . . says: *Copy from* Joan Peters. It does . . . There was no question about it.”²⁴ He thus alleges that I instructed a research assistant to “copy”²⁵ from another author without citations. But he simply makes up the word “copy.” The note says precisely the opposite: “*cite sources on pp. 160, 485, 486, footnotes 141–145*” (emphasis added). The instruction is to be certain that the material is properly *cited*. This is not proof of plagiarism; it is proof of scholarship.

He also claims that the “one and only expert” I “named” to support my view that it is proper to cite quotations to their *original* source rather than to the secondary source in which it was found was James Freedman, the former president of Dartmouth and the American Academy of Arts and Sciences²⁶—as if that would not be enough. Yet he *knows* that I have named several other experts, including librarians and professors. Finkelstein simply makes up his “facts.” Finkelstein’s only expert is Alexander

²¹ Norman Finkelstein, “Is Criticism of Israel Anti-Semitic?” public forum at the Vancouver Public Library, May 15, 2004, accessible at www.workingtv.com/finkelstein.html.

²² Finkelstein, *Beyond Chutzpah*, p. 254.

²³ Norman Finkelstein, “Is Criticism of Israel Anti-Semitic?” public forum at the Vancouver Public Library, May 15, 2004, accessible at www.workingtv.com/finkelstein.html.

²⁴ Norman Finkelstein, “Israel-Palestine Conflict: Roots of Conflict, Prospects for Peace,” Calgary, April 3, 2004.

²⁵ Norman Finkelstein, “Israel-Palestine Conflict: Roots of Conflict, Prospects for Peace,” Calgary, April 3, 2004.

²⁶ Finkelstein, *Beyond Chutzpah*, p. 251.

Cockburn, who has said the evidence is unclear as to whether Israel was responsible for the 9/11 and anthrax attacks!²⁷

Finkelstein also makes up his claim that I “lifted” quotations from Peters without ever citing her. I cite her at least eight times, as anyone perusing my book can easily see. Yet the objective scholars who “peer reviewed” Finkelstein’s manuscript obviously missed this. I even stated that “I do not in any way rely on her demographic conclusions or demographic data,” and in the second and subsequent printings I go on to say that “I have quoted several historical quotations that I first came upon in her book.”²⁸ But none of this is enough for Finkelstein. He insists that I must cite a passage from Mark Twain, not to Twain himself, but rather to Peters because I may have originally come across it in Peters. First of all, I did not. I found the Twain quote years before Peters published her book and used it in debates against Noam Chomsky during the 1970s. Second, even if I had first come across the widely used Twain quote in Peters’ book, I was not obliged to cite Peters, any more than I would be obliged to cite *Bartlett’s Familiar Quotations* for a quote I first came upon in that book. The purpose of a citation is twofold: to show that the quote is from someone else (Twain in this case) and to lead the reader to its source.

The standard procedure in my office, and I’m sure in the offices of most other professors, was correctly stated as follows by my research assistant:

...the standard operating procedure in Professor Dershowitz’s office has always been for us to check out or request the original sources from the Harvard libraries.²⁹

The fact that a research assistant may not have changed the citation form that appears in Peters after independently checking the source in the library does not constitute proof of plagiarism.

These few examples don’t come close to telling the whole story. From the intemperate language (“colossal hoax”, “ethnic cleansing”), to the wild accusations (American Jews act as “de facto agents of a foreign government ... in service to their Holy State”³⁰; Henry Louis Gates Jr. is guilty of “[t]rashing powerless people ... to curry favor with the powerful [Jews]”³¹), to the conspiracy theories (a “U.S.-Israeli ‘hit list’³²), *Beyond Chutzpah* is seething with contempt for Jews. On top of it all, Finkelstein’s historical renderings are often simply downright silly. In Finkelstein’s world, Iraq’s Osirak nuclear reactor “wasn’t making nuclear weapons; it was probably the Israeli bombing that

²⁷ Cockburn wrote: “I don’t know there’s enough exterior evidence to determine whether they [the claims that Israel perpetrated both 9/11 and the anthrax attacks] are true or not.” Franklin Foer, “Relativity Theory; Alexander Cockburn’s Dubious Theories,” *The New Republic*, April 22, 2002, p. 12.

²⁸ Alan Dershowitz, *The Case for Israel* (Hoboken: Wiley, 2003), paperback edition, p. 247, n. 31.

²⁹ Holly Beth Billington, et al., “Tsuris Over Chutzpah,” *Nation*, August 29, 2005.

³⁰ Finkelstein, *Beyond Chutzpah*, p. 69-70.

³¹ Finkelstein, *Beyond Chutzpah*, p. 70.

³² Finkelstein, *Beyond Chutzpah*, p. 57.

induced Saddam to embark on a nuclear weapons program....”³³ In Finkelstein’s world, it is Israel, rather than Egypt, Jordan, or Syria, that was aggressor in the 1967 War; and it was Israel that bore responsibility for Egypt’s surprise attack on Yom Kippur in 1973.³⁴ And in Finkelstein’s far left fantasy world, *my* defense of Israel’s right to exist alongside a Palestinian state is analogous to early- and mid-twentieth century Soviet apologists. “Yet,” he writes, “no analogy is perfect. However corrupted, the ideals of Communists were real, as were the sacrifices they made for these ideals. The likes of Dershowitz are opportunists and their purported defense of Israel in the face of overwhelming opposition is all theater.”³⁵ In other words, in Finkelstein’s world, no one may disagree with Finkelstein in good faith. We are all “hucksters” “frauds” and “shakedown artists.”

Even the central theme of Finkelstein’s book, that Jews will cry “anti-Semite” at anyone who criticizes Israel, is belied by a simple scan of the themes and theses of my own books. Finkelstein subtitles his book “On the Misuse of Anti-Semitism and the Abuse of History,” explaining his thesis as follows:

Like the Holocaust, “anti-Semitism” is an ideological weapon to deflect justified criticism of Israel and, concomitantly, powerful Jewish interests. In its current usage, “anti-Semitism,” alongside the “war against terrorism,” serves as a cloak for a massive assault on international law and human rights.”³⁶

But only eight years ago, I wrote an entire book discussing challenges facing American Jews now that institutional anti-Semitism is all but nonexistent and personal anti-Semitism has been relegated to the marginalized extremes of the political spectrum. As I put it in *The Vanishing American Jew*, “The thesis of this book is that the long epoch of Jewish persecution is finally coming to an end....”³⁷ And in both *The Case for Israel* and *The Case for Peace*, I made sure to note that criticism of Israel and anti-Semitism are not

³³ Finkelstein, *Beyond Chutzpah*, p. 41-42.

³⁴ Finkelstein, *Beyond Chutzpah*, p.25, 268-69. Speaking of the Six Day War, Finkelstein goes to great lengths (including six full pages in his third appendix) to insist that “the consensus of the international community, including the United States,” was that U.N. Security Council Resolution 242 demanded that Israel “commit itself to withdraw from all the occupied territory.” *Id.* at 25-26. Finkelstein’s reading of the crucial resolution would have come as a surprise to U.S. Ambassador to the U.N. Arthur Goldberg (for whom I clerked and with whom I continued to consult on legal matters at the U.N.). It was Ambassador Goldberg who drafted Resolution 242, and who later stated, “The notable omissions – which were not accidental – in regard to withdrawal are the words ‘the’ or ‘all’ and ‘the June 5, 1967 lines’....[T]he resolution speaks of withdrawal from the occupied territories without defining the extent of withdrawal.” President Lyndon Johnson concurred, stating in 1968, “It is clear, however, that a return to the situation of June 4, 1967, will not bring peace. There must be secure and there must be recognized borders.” *See, The Case for Peace* (Hoboken, NJ: Wiley, 2005), p. 15.

³⁵ Finkelstein, *Beyond Chutzpah*, p. 223-34.

³⁶ Finkelstein, *Beyond Chutzpah*, p. 84.

³⁷ Alan M. Dershowitz, *The Vanishing American Jew* (Boston: Little, Brown, and Co., 1997), p. 7. Later I wrote, “We have much to celebrate. Thanks to the determined efforts of Jewish individuals and organizations, anti-Semitism in America is at an all-time low. Even more important, the most dangerous form of the oldest bigotry – state-sponsored, church-supported, and institutionally implemented anti-Semitism – has virtually ended. Today’s Jews have entered the mainstream in America and experience few constraints, either professional or personal, in their life choices.” *Id.* at 69.

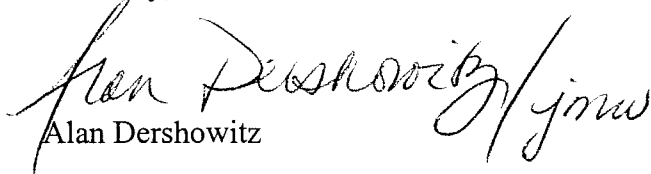
the same thing.³⁸ Considering my documented history of criticizing particular Israeli policies and politicians, Finkelstein's obsessive focus on me and my book ensures that *Beyond Chutzpah* amounts to nothing more than an attempt to blow over a straw man of Finkelstein's own construction.

In the end, Finkelstein and this Press have attempted to frame *Beyond Chutzpah*'s publication as a triumph for academic freedom. As I wrote above, though, this dispute has never been about academic *freedom*; it has been about academic *standards* and the apparent lack of any at the University of California Press when it comes to hard left propaganda. In order to deflect attention away from their lack of academic standards and their hard-left anti-Israel bias, this Press has lied about the issue of academic freedom. Nobody has ever tried to censor Norman Finkelstein's drivel. He can always publish it with presses that acknowledge their anti-Israel bias. The issue is, and has always been, one of academic standards: how could the University of California Press publish a work so lacking in standards, so filled with misquotations, falsifications, and faked data?

Now that Finkelstein's book has been published, and its mendacity exposed for all to see, I challenge the University of California Press to explain how this collection of un scholarly lies meets its academic standards.

I am not asking you to pull the Finkelstein book from the shelves, though a responsible academic press might, if the above falsehoods were brought to its attention. Please do not falsely claim – as you have previously claimed – that I am trying to get you to censor or pull Finkelstein's book. I am asking you to issue a statement correcting the above falsehoods, now that you have been made aware of them. This would be entirely consistent with the open marketplace of ideas and of academic freedom and high standards.

Sincerely,



Alan Dershowitz

³⁸ See, for example, Alan Dershowitz, *The Case for Israel*, p.1-2 (“Let me be clear that I am not charging all critics of Israel with anti-Semitism. I myself have been quite critical of specific Israeli policies and actions over the years, as have most Israel supporters, virtually every Israeli citizen, and many American Jews.”); Alan Dershowitz, *The Case for Peace*, p. 139-141) (contrasting “A Checklist of Factors That Tend to Indicate Anti-Semitism” with “A Checklist of Factors that Tend to Indicate Legitimate Criticism of Israel”).