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Relations between Jews and the United Nations have been complex — sometimes very close, sometimes, especially in recent years, with mounting world criticism leveled at Israel, hostile. This issue of *Sh'ma* examines what it has meant for Jews since the end of the First World War to be scrutinized, protected, criticized, and prodded by representatives of the world's nations. We include several perspectives on these questions: Given its history with the U.N., should Israel care about what happens in this international body? Is there a legitimate parallel between the U.N.'s recognition of Israel and its potential recognition of Palestine? What is the relationship between a people's desire for statehood and independence *and* their longing for international recognition — and what are the ensuing obligations and responsibilities?

We decided to devote an issue to Jews and the United Nations months ago and began soliciting essays for the issue in early July — long before the current fervor outside the U.N. halls heated up. We believed that with the question of Palestinian statehood pending before the international body, an issue examining the history, context, and variations of the Jewish (and Israeli) relationship to the U.N. would be instructive. As we go to press with this issue, neither the Security Council nor the General Assembly has voted on recognizing a Palestinian state. Whatever happens, this issue of *Sh'ma* provides a primer and a critical tool for a more thorough understanding of the matter. It allows for a deeper delving into the topic, and for an awareness that not much about the Jewish relationship to the U.N. is as it initially appears.

—Susan Berrin, Editor-in-Chief

International Law and the Emergence of a New World Order

KAREN NAIMER

In March of this year, as fighting advanced toward Benghazi, Libyan leader Col. Muammar Qaddafi warned protestors that he would show them “no mercy and no pity.” Anticipating a possible massacre if no preventive steps were taken, the United Nations Security Council invoked the “responsibility to protect” and authorized military action. The development of this 21st-century doctrine — which mandates that each state protect its populations

from genocide, war crimes, ethnic cleansing, and crimes against humanity, or risk intervention by the international community when it fails to do so — represents the significant erosion of the principle of state sovereignty. States, in other words, can no longer slaughter large portions of their own populations without consequences under international law. This is a far

cry from Nuremberg, where not a single defendant in the dock was charged for any offenses committed prior to the start of the Second World War because no law existed governing how states should treat their own citizens in a

Hersch Lauterpacht challenged the idea of the state as a metaphysical entity with independent agency, arguing that states do not commit heinous crimes, individuals do, and when those individuals violate the law, they must be held accountable.

time of peace. Credit for the seismic shift in the legal landscape since 1945 is due in large part to Hersch Lauterpacht (1897-1960) and Raphael Lemkin (1900-1959), arguably two of the most influential international lawyers of the last century. Though their paths differed, their contributions — to prioritize the rights of the individual over the power of the state and to