



AMERICAN ASSOCIATION OF JEWISH LAWYERS AND JURISTS

U.S. Affiliate of the International Association of Jewish Lawyers and Jurists

February 6, 2024

Chairman Darrell G Seki
Secretary Samuel R Strong
Red Lake Band of Chippewa Indians
PO Box 550, Red Lake, MN 6671
By Email to: dseki@redlakenation.org
sam.strong@redlakenation.org

Re: Demand for an Informed and Corrected Resolution re Resolution No 04-2024

Dear Chairman Seki and Secretary Strong,

It is with deep concern that we saw the text of Resolution No 04-24 that was adopted, seemingly unanimously, on January 9, 2024, at the Regular Meeting of the Tribal Council at the Red Lake Nation headquarters (“Resolution”). By all indications, this resolution adopted without the position of the Jewish people ever being presented or considered; in any event, the Resolution is replete with errors and revisionist information, not least its erasure of the history of the Jewish people as the indigenous people of the land of Israel and their profound connection to the land, its libeling of Israel as engaged in genocide, and its calls for actions by Israel and the international community that would impose a manifest injustice upon the people of Israel.

First and foremost, the Resolution erases the millennia-old connection between the Jewish people and the land of Israel. Jews are, in fact, the indigenous people native to Judea, the original name of the land. Jews have lived in the land continuously for around 3500 years, more that 2500 years before Islam started and the region was colonized by invaders from the Arabian peninsula.

In contrast, the peoples who today consider themselves to be Palestinians came to the region later in history, some as late as the early 20th century, following in the wake of the returning Jewish population. To deny the Jewish connection to the land of Judea would be akin to denying that Native American were indigenous simply because Europeans have lived in the Americas for several centuries. Like the Native American, the desire of a Jew to live free in its native land is very much part of our liturgy, culture and right.

Second, the Resolution’s reference to Hamas as an “Islamic Resistance Movement” is not just offensive but legally incorrect. Hamas is a jihadist terrorist organization and should be recognized as such by the Tribal Council, as it has been by nearly every government in the world. Since

888 17th STREET, NW, Suite 400, WASHINGTON, DC 20006 • PH: (202) 775-0991 • FAX: (202) 828-0909

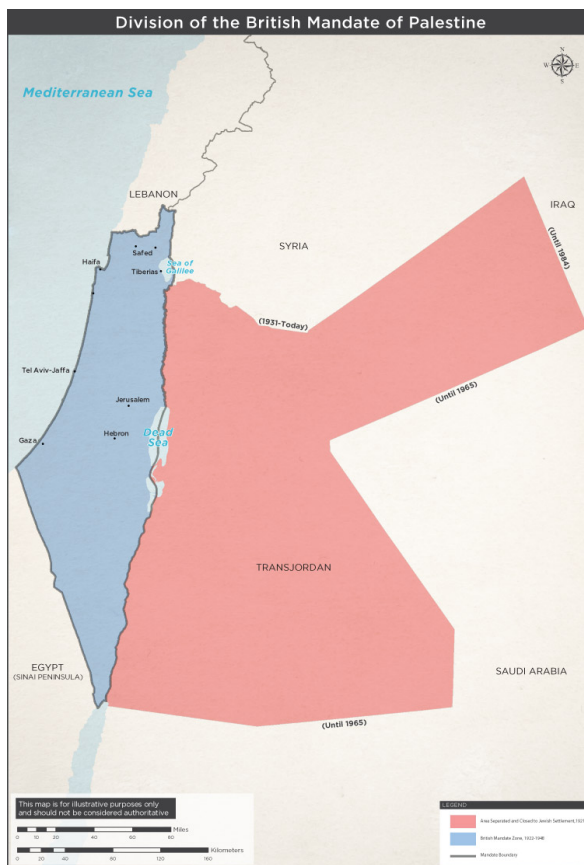
E-MAIL: president@aajlj.org

WEBSITE: www.aajlj.org

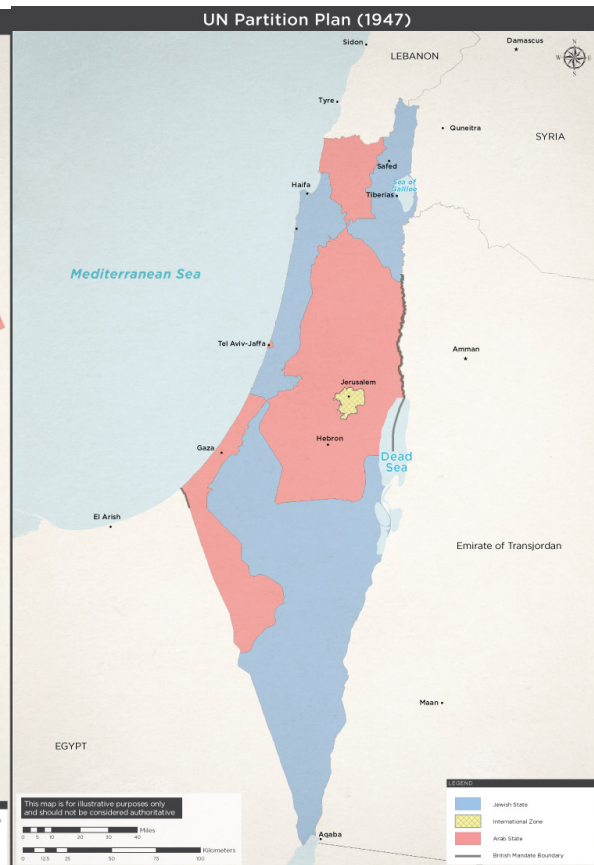


October 1997, the US Department of Treasury has designated Hamas, Palestinian Islamic Jihad (PIJ), and the Popular Front for the Liberation of Palestine (PFLP) as Foreign Terrorist Organizations. Additionally, these groups have been listed as Specially Designated Global Terrorists (SDGTs) since October 2001. The brutal and nihilistic assault carried out by Hamas against Israel on October 7, 2024, is but the latest example of the terrorist nature of that and the other named organizations.

Thirdly, the Resolution mischaracterizes what transpired in 1948, after the United Nations had not only voted to give Jews a homeland but provided for a Palestinian state, in addition to the Arab Kingdom of Jordan that was created in 1946. It can be seen in the following images. First, on Transjordan was created (see fig. 1), an area in which approximately 6,000,000 Palestinians live today. After which the UN proposed a partition plan, in Resolution 181 which was adopted by the UN on 29 November 1947 (see fig. 2). All areas in red were partitioned for the Arabs, to which the Palestinians belong, to occupy. In actuality the British abstained from the UN vote, following a period during which the British acted vigorously to prevent Jews from returning to their historic homeland, even as the extermination of European Jewry was under way. Moreover, when the British left what was then Mandatory Palestine, they gave all of their arms to the Arabs. It is baseless to claim that Jews came to the region to dispossess Palestinians at the behest of the British.



(fig. 1)



(fig. 2)



Further, it was, more than anything else, at the doing of Arab leaders that Palestinians were dispossessed from the region at that time. Large numbers of Arabs, at partition, were urged to leave by the Mufti of Jerusalem before Israel declared independence, on the basis that they would return after the Jews had been driven into the sea. Since that time the Arab states surrounding Israel have launched wars against Israel in 1948, 1956, 1967 and 1973, but lost those wars. Those Arabs that stayed, which include Christians, Muslims, Druze, Samaritans, Circassians, Bahai and Bedouin enjoy full rights as Israeli citizens. Therefore, the Resolution which calls for laws which accuses Israel of treating its Arab citizens in a way comparable to the treatment of native Africans under the apartheid South African regime is baseless and both denigrates and diminishes the Black South African struggle.

Equally, after 1947, the Arab world drove nearly all the Jews, over 850,000 out of the Arab world, often by force. As can be seen in the table below (fig. 3). Of the 850,000 Jewish refugees between 1948 and 1972, more than 200,000 found refuge in Europe and North America while 586,000 were resettled in Israel - at great expense to the Israeli government, and without any compensation from the Arab governments who had confiscated their possessions. The majority of the Jewish refugees left their homes penniless and destitute and with nothing more than the shirts on their backs. Unlike the Palestinians which have received over \$40 Billion in aid, these Jews were never deemed to be perpetual refugees.

Country	1948	2018
Algeria	140,000	<50
Egypt	75,000	100
Iran	100,000	9,200
Iraq	135,000	<10
Lebanon	5,000	<100
Libya	38,000	0
Morocco	265,000	2,150
Syria	30,000	100
Tunisia	105,000	1,050
Yemen/Aden	63,000	<50

(fig.3)



Despite those wars and the constant resurgence of terrorist attacks and missile attacks, Israel has forged peaceful alliances with Egypt, Jordan, United Arab Emirates, Bahrain and Morocco. Moreover, given the reality of a region with two peoples with claims to the same land, Israel has been open to – and has made offers based on -- resolution of the conflict through a two-state solution, a solution that far from being “racist” would be an equitable approach recognizing that these two peoples each have their own claims to self-determination that cannot be realized through a fantastical single state. It is the Palestinian leadership, in contrast, that has spurned all proposals in the hope of eliminating the one Jewish state in the world.

Seemingly, the Tribal Council was completely unaware of these facts, having failed to seek knowledge of the actual historical account, and therefore saw fit to pass a resolution without, based on the fundamentally incorrect conclusion that there are parallels between the histories of Native Americans and Palestinians. In fact, the contrary is true. If parallels are to be drawn, the Jew and the Native American have much more in common, by being hounded from their native lands, corralled into ghettos (a term invented for the separation of Jews), and exterminated en masse. Now, our peoples have to suffer the indignity of being told where we can and cannot live in our indigenous lands. Other First Peoples from around the world, including Native Americans, have come to dramatically different conclusions. Over the last month, the [Indigenous Embassy](#) opened in Jerusalem in recognition of indigenous peoples’ support for Israel and affirmation of the Jewish people’s indigenous status. We call on the Tribal Council to engage with other First People who have rejected false narratives that attempt to erase the Jewish people’s identity and connection to ancestral lands.

The Resolution also blithely calls for implementation of United Nations General Assembly Resolution 194, which calls for “refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so ...” First, the murders, rapes, torture, baby beheadings, sexual violations with grotesque mutilations and hostage taking of October 7, 2023, does not demonstrate that the Palestinian leadership wishes to live “at peace.” Notably, Israel withdrew from the Gaza Strip in 2005, which prior to 1948 was British Mandate and was Egyptian until 1967. Those Palestinians were provided working farms and billions of dollars in aid yet showed only a desire to amass weapons and commit atrocities rather than live peaceably. These events, and much that preceded them, demonstrate that the only viable resolution, when the Palestinian people are ready for it, is the creation of two states living side by side in peace and security, with Palestinian refugees and their descendants free to move to and live in the Palestinian state.

Similarly, it is simply a blood libel to term as “genocide” Israel’s actions in furtherance of its right to defend itself and rescue the hostages, of which at least 100 are still being held. It is undisputed that Israel has always possessed the military capacity to eradicate Gaza and its inhabitants; it has never done so. Quite the contrary, Israel has taken extraordinary measures to avoid harm to Gazans to the extent required by international humanitarian law. In fact, Israel has spent billions of dollars developing the Iron Dome, a defensive shield, so that it could carry on living under constant rocket fire. Israel’s intent has always been for peace and not war and intent is an essential element of genocide. In contradistinction, if the Tribal Council wishes to see evidence of genocide, it needs only look to the stated intention of Hamas to eradicate all Jews from the face of the earth. Yet, this has been ignored, and the Tribal Council has adopted the narrative of the aggressor.



The primary call of the Tribal Council should have been for the immediate release of the hostages that Hamas is still holding in the Gaza Strip (110 men and 19 women, including two children) and for an end to Hamas' aggression against Israel. The statement should have acknowledged the active rescue operation in progress, which Israel is pursuing in painstaking fashion, costing Israeli lives in order to minimize casualties to Gazan civilians.

We invite the Tribal Council to hear the actual situation on the ground, including but not limited to historical facts rather than a revisionist history that evidently has been presented. The postscript to the Resolution, quotes a rap song, suggesting that underneath the al-Aqsa mosque, one might find evidence that the current people who currently term themselves as Palestinians are indigenous to the land of Israel. Nothing could be further from the truth. Archeology bears that it is the Jews who are indigenous to the land of Israel, as reflected in excavations of Hebrew and Aramaic writing (both Jewish languages), and our bones. If one digs underneath the Temple Mount of Jerusalem, the only artifacts that one will find are Jewish ones, as can be seen [here](#). The Palestinians' claim of being indigenous to the land of Israel is comparable to that of descendants of Europeans to lands in the Red River and Pembina areas.

We await the invitation so that we may address the Tribal Council.

Yours sincerely,

Robert Garson

President

cc: Red Lake Tribal Council and Legal Department



About the AALJ

The AALJ is a national nonprofit association that represents the American Jewish legal community on issues of importance such as freedom of religion, civil rights, human rights, access to justice, and defense of the rule of law. The AALJ also advocates on matters affecting the global Jewish community, in particular, the scourge of antisemitism, including antisemitism disguised as antipathy toward Israel.