**Judge Goldstone’s dark past**

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He asserted that [Israel](http://www.ynetnews.com/articles/0,7340,L-3284752,00.html%20) committed [war crimes](http://www.ynetnews.com/articles/0,7340,L-3777382,00.html) and came out against the Israel Defense Forces, whom he claimed violated basic human rights. Judge [Richard Goldstone](http://www.ynetnews.com/articles/0,7340,L-3782785,00.html) forgot just one thing – to look long and hard in the mirror and to do some soul-searching before he rushes to criticize others.

A special Yedioth Ahronoth investigation reveals Richard Goldstone's dark side as a judge during the Apartheid era in South Africa. It turns out, the man who authored the Goldstone Report criticizing the IDF's actions during [Operation Cast Lead](http://www.ynetnews.com/home/0,7340,L-7022,00.html) took an active part in the racist policies of one of the cruelest regimes of the 20th century.

During his tenure as sitting as judge in the appellant court during the 1980s and 1990s sentenced dozens of blacks mercilessly to their death.

This stain on Goldstone's past kept him from coming out against the death penalty on many occasions and from vehemently criticizing countries who still allow executions. Goldstone didn't bother confessing and telling about his actions in any of his statements or speeches.

Yedioth Ahronoth's findings show that Goldstone sentenced at least 28 black defendants to death. Most of them were found guilty of murder and sought to appeal the verdict. In those days, he actually made sure he showed his support for the execution policy, writing in one verdict that it reflects society's demands that a price be paid for crimes it rightfully views as frightening.

In another verdict, in which he upheld the execution of a young black man convicted of murdering a white restaurant owner after he fired him, Goldstone wrote that the death penalty is the only punishment likely to deter such acts.

### 'Merely upholding laws of country'

It should be noted that whites, granted superior status under Apartheid Law, were the ones calling that such a heavy price be exacted for violent crimes, while the black majority in South Africa consistently opposed the death penalty.

Only in 1995 when Nelson Mandela took power was the South African constitution amended and the death penalty abolished. Hundreds of people sitting on death row were spared, including some that Goldstone himself sent there.

Even when it came to far less serious offenses, Goldstone sided through and through with the racist policies of the Apartheid regime. Among other things, he approved the whipping of four blacks found guilty of violence, while he acquitted four police officers who had broken into a white woman's house on suspicions that she was conducting sexual relations with a black man – something considered then in South Africa as a serious crime.

In another incident, Goldstone sentenced two young black men merely for being in possession of a video tape showing a speech given by one of the senior officials in Nelson Mandela's party.

In response to sections of the study presented to him, Goldstone said that he has always been opposed to the death penalty, but because was acting within a legal system in which the death penalty exists, his hands were tied. He also claimed that he was obligated to honor the laws of the country, even under Apartheid rule, and could not find enough mitigating evidence to spare the defendants from execution.

Goldstone claimed that he never discriminated against black defendants and acted to the best of his abilities to act fairly, though he was sometimes morally opposed to the laws he was upholding. He noted that he was equally committed to maintain equality and to uphold the law, two principles that often clashed.

### Dershowitz: That's what Mengele said too

Following the revelations, prominent American lawyer Alan Dershowitz compared Goldston'e defense to that of Nazi war criminals. "Goldstone took a job as an apartheid judge. He allowed dozens of black people who were unfairly tried to be executed," Dershowitz told Channel 2 TV.

"You know, a lot of people say we just followed the law, German judges… That's what (German SS officer and physician Josef) Mengele said too. That was Mengele's defense and that was what everybody said in Nazi Germany. 'We just followed the law.' When you are in an apartheid country like South Africa, you don't follow the law," Dershowitz added.

Israeli politicians and the Foreign Ministry on Wednesday welcomed the Yedioth Ahronoth investigation, which revealed Goldstone's dark past as a cruel judge in South Africa under the Apartheid regime.

A Foreign Ministry official referred to the investigation as "explosive PR material". [Foreign Minister Avigdor Lieberman](http://www.ynetnews.com/articles/0,7340,L-3673089,00.html) plans to instruct his office to send the information published in the newspaper to all of Israel's representatives in the world to be used in their PR activities.

Both right-wing and left-wing Knesset members slammed Goldstone and his "problematic past".

"The judge who sentenced black people to death and supported what he defined as a 'reward for crimes' is a man of double standards," Knesset Speaker Reuven Rivlin ([Likud](http://www.ynetnews.com/articles/0,7340,L-3498238,00.html)) said during a meeting with his Cypriot counterpart, who is visiting Israel.

"Such a person should not be allowed to lecture a democratic state defending itself against terrorists, who are not subject to the criteria of international moral norms," added Rivlin.

MK Yoel Hasson ([Kadima](http://www.ynetnews.com/articles/0,7340,L-3498209,00.html)), chairman of the Knesset's State Control Committee, said the investigation revealed that Goldstone was a hypocrite not just towards reality, but also towards himself.

"Although he was involved in clear racist activity, he had no problem writing such a report," said MK Hasson. "It's puzzling and disappointing that the Foreign Ministry did not check and know in real time about the man's past. Had this been done, it would have greatly helped us in our activity against the report."