

Zionism, Anti-Semitism, BDS, and the United Nations

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An earlier abridged version of this post was published by Middle East Eye under a different title on June 5, 2016. The focus is upon the misuse of anti-Semitism by those defending Israel to deflect a rising tide of civil society activism and public criticism of Israeli policies and practices.

Zionism as Racism? Zionism and the State of Israel

8 Jun 2016 - More than 40 years ago the UN General Assembly adopted controversial resolution 3379 by a vote of 72-35 (with 32 abstentions), determining "that Zionism is a form of racism and racial discrimination." This resolution was bitterly opposed by Israel and its friends in 1975. According to Zionists and others this resolution was an unacceptable assault on the dignity of the Jewish people, a blatant expression of anti-Semitism, exhibiting hurtful insensitivity to the long dark shadow cast by horrific memories of the Holocaust.

The Israeli ambassador at the United Nations, Chaim Herzog, was unsparing in his denunciation: "For us, the Jewish people, this resolution based on hatred, falsehood and arrogance, is devoid of any moral or legal value." The American Ambassador, with a deserved reputation as an outspoken diplomat, Daniel Patrick Moynihan, was hardly less severe. In the debate preceding the vote Moynihan used exaggerated language of denunciation: "The UN is about to make anti-Semitism international law..The [US] does not acknowledge, it will not abide by, it will never acquiesce in this infamous act..a great evil has been loosed upon the world."

Such harsh language was an effective tactical maneuver by Israel and the United States to mislead as to the purpose of the anti-Zionist resolution by waving the red flag of anti-Semitism. With a few notable exceptions, the governmental supporters of the initiative at the UN were never motivated by hatred of Jews, although the resolution was an unwise way to exhibit anger toward Israel because it was so susceptible to being discredited as unacceptable due to its anti-Semitic overtones. The primary backers of the resolution were seeking to call attention to the fact that Israel as a state was proceeding in a racist manner by its treatment of the indigenous Palestinian population. In fact, the focus on Zionism rather than Israel reflected a continuing commitment by the main representatives of the Palestinian people and their allies to accept, however reluctantly, the reality of Israel as a state, while rejecting certain of its policies and practices that were being attributed to the Zionist ideology that did shape Israel's governing process.

The context of the resolution is also important. It came after a decade of international

frustration concerning the refusal of Israel to withdraw from the Palestinian (and Syrian) territory occupied in the 1967 War in the manner prescribed in the unanimously passed iconic UN Security Resolution 242. By 1975 it seemed that Israel had no serious intention of ever withdrawing fully or soon. True, there were interpretative ambiguities surrounding the exact conditions of withdrawal, yet Israel's expansion of the metropolitan area of Jerusalem together with its annexation combined with the establishment of settlements in occupied Palestine was generally perceived in UN circles as confirming this suspicion that Israeli ambitions far exceeded the scope of what had been agreed upon in 1967 at the Security Council. Subsequent developments have only hardened the perception the belief that Israel will defy international law and UN authority whenever it suits their purposes.

Inappropriately and ineffectively, the anti-Zionist resolution was seeking to mobilize the international community in 1975 around the idea that Palestinian suffering and humiliation resulted from illegitimate Israeli behavior that would not be overcome by statecraft or UN diplomacy, both of which had been tried and failed. Over time this interpretation of the situation has given rise to a growing skepticism about whether any inter-government effort, including even that undertaken by the Palestinians themselves, will secure the Palestinian right of self-determination, as long as the balance of forces is so strongly in Israel's favor. Against this background it is not surprising that the Palestinian struggle increasingly relies upon civil society militancy currently epitomized by the BDS Campaign to correct this imbalance.

Asserting its geopolitical muscle over the years Israel finally managed to induce the General Assembly to reverse itself in 1991 by Res. 46/86. This single sentence text simply revokes the earlier resolution condemning Israel without offering any explanation for the new posture. Israel secured this vote by making conditional its participation at the Madrid Peace Conference that same year, insisting on a formal repudiation of the 1975 resolution.

In retrospect, the General Assembly had made a serious mistake by equating Israel with Zionism. It should be earlier realized that Zionism is a political project devised by Jews in Europe at the end of the nineteenth century, and while responsible for the world movement that successfully established Israel against great odds, it does not represent the Jewish people as whole, nor is it an authoritative expression of Judaism whether conceived as a religion or an ethno-historic tradition. From the inception of Zionism, Jews as individuals held wildly divergent, even contradictory, views about the wisdom of Zionism in theory and practice as well as about the validity of its relations with Judaism. Zionism was never institutionalized as the governing ideology of the Israeli state, and many Jewish critics of Israel emphasized the failure of the state to live up to Zionist ideals and Judaic traditions.

Among the most fundamental of these disagreements related to whether Jews should aspire to a state of their own in Palestine, or should limit themselves to the Balfour pledge of support for a homeland in historic Palestine. The whole idea of an ethnic state is problematic given the geographic intermingling of ethnicities, and can be reconciled with the ideal of protecting the human rights of every individual only by artifice. In practice, an ethnic state, even if its activities are constitutionally constrained, dominates the governing space and discriminates against those with other ethnic identities. And so has been the case with Israel despite Palestinian voting rights and participation in the Knesset. Again, Zionism championed Israeli statehood as the fulfillment of the vision of a Jewish homeland, but the state that emerged is a political actor whose behavior needs to be appraised by its policies and practices, and not by its founding ideology.

Such general speculation raises somewhat different issues than posed by the anti-Zionist resolution. Now the much more difficult issue is raised in the form of allegations that Israel as of 2016 has become a racist or apartheid state, most clearly with respect to its oppressive and discriminatory administration of the West Bank and Gaza. To be clear, it is not Zionism as an ideology that should be evaluated as racist or not, despite its ethnic exclusivity, but Israel as a state subject to international law, including the International Convention on the Elimination of Racial Discrimination(1966) and the International Convention on Suppression and Punishment of the Crime of Apartheid (1973).

BDS as Anti-Semitism?

At this time, complaints about anti-Semitism have taken an entirely different course, although emanating from a similar source. Instead of deflecting criticism at the UN by angry claims of institutional bias verging on anti-Semitism, Israel is now actually invoking the prestige of the UN to carry on its fight against the BDS Campaign and an alleged delegitimation project aimed at discrediting and isolating, if not destroying, the state of Israel. On May 31, 2016 Israel convened a day-long conference under the willfully misleading title, “Ambassadors Against BDS—International Summit at the UN.” Invited speakers were limited to pro-Israeli extremists who took turns deploring BDS as a political initiative and denouncing its activist supporters as vicious anti-Semites. The Israeli ambassador, acting as convenor of the conference and known mainly as an inflammatory leader of the settlement movement, Dani Danon, set the tone of the event with these words: “BDS is the modern incarnation of anti-Semitism,” spreading an “..ideology of hate.”

The program was unabashedly one-sided. The conference sponsored by a series of leading Jewish organizations. The audience consisted of more than 1500 invited guests who possessed strong anti-BDS credentials and were encouraged to be militant in their opposition to BDS activities. The conference call relied on language that highlights the political significance of this extraordinary initiative: “The BDS movement continues to make strides in their campaign to delegitimize the State of Israel. They are gaining increased support on campuses around the world as they promote initiatives on local and national levels calling to divest and boycott the Jewish state.” Such a statement accurately recognizes that BDS has become the main vehicle of a rapidly strengthening global solidarity movement that aligns itself with the Palestinian national movement, is effectively mobilizing beneath the BDS banner, and has been shaped since its inception in 2005 when endorsed by 170 Palestinian NGOs and a wide spectrum of civil society activists.

It should be clarified that the so-called anti-BDS ‘summit,’ appearances notwithstanding, was not a UN conference, nor did it have the blessings or participation of top UN officials. It was an event organized by the Israeli delegation at the UN that was allowed to make use of UN facilities. Calling itself ‘Ambassadors Against BDS’ is deceptive, suggesting some kind of collective diplomatic undertaking by the international community or at least its Western segment.

Contrariwise, and more to the point, several European governments normally supportive of Israel, including Sweden, Ireland, and even the Netherlands have recently officially indicated that support for BDS is a legitimate political activity, entitled to the protection of law in a democratic state, and its supporters should be treated as exercising their right to freedom of expression in a lawful manner.

The BDS goals are set forth clearly in its founding document and do not include the

delegitimation of Israel as a state: (1) withdrawal of Israel forces from Arab territories occupied in 1967, including the Syrian Golan Heights as well as West Bank, Jerusalem, and Gaza; (2) respect for the right of return of Palestinian refugees in accordance with General Assembly Resolution 194; (3) protection of the human rights of Palestinians living in pre-1967 Israel on the basis of full equality. Without question the BDS movement endorses an ambitious program, but it does not question Israeli sovereignty over pre-1967 Israel, despite its territorial control of 78% of the Palestine mandate, which is far more than what the UN considered fair in 1947 that was about 45%, and was rejected by the Palestinians as being grossly unfair given the demographics at the time.

In a growing reaction to the growing influence of BDS, Israel and pro-Israeli civil society actors have been pushing back in a variety of settings with tactics that violate the written and unwritten rules of democratic society. Among those most salient of these tactics have been the successful efforts of the organized Jewish community in Britain to have an academic conference at Southampton University canceled for two consecutive years, the frantic defamatory assault on Penny Green, the distinguished British criminalist who had been proposed as the first choice to be the next UN Special Rapporteur for Human Rights in Occupied Palestine, a travel ban imposed by Israel on Omar Barghouti, the widely admired worldwide leader of BDS, and sundry outrageous efforts throughout the United States to have as many state legislatures as possible pass laws that criminalize BDS by associating its advocacy and activity with anti-Semitism.

Above all, this ugly effort to stigmatize BDS represents a double shift in the essential battlefield of the Israel/Palestine struggle. The first shift is from armed struggle to a series of symbolic encounters concerning the legitimacy of Israel's policies and practices. The second interrelated shift is away from inter-governmental diplomacy and toward civil society militancy. It is possible that the second shift is temporary or provisional, having as its objective the revival of normal diplomacy at a future time under conditions where both sides are treated equally, and the process facilitated by a genuinely neutral intermediary. In effect, an authentic peace process in the future must correct the flaws that doomed the diplomacy undertaken within the Oslo Framework of Principles to failure, and what is worse operated to enable a steady dynamic of Israeli expansionism at Palestinian expense. One way of thinking of BDS is as a corrective to this failed diplomacy of the past.

In the meantime, both Israel and its civil society adversaries will reflect their contradictory agendas with respect to a variety of struggles centering on what is legitimate.

In important respects the double shift should be welcomed. The BDS Campaign concentrates on university campuses, churches, and labor unions. To challenge the legality and propriety of its tactics is to attack the most fundamental values of constitutional democracy. BDS-bashing also lends indirect credibility to those who argue that only political violence can achieve justice for the Palestinian people that alone can end their unspeakable ordeal. It is reasonable, of course, to question whether BDS is effective, or to argue over its proper scope and tactics, but attacks on BDS as a valid political instrument should be rejected.

Comparing Anti-Zionism in 1975 and Anti-BDS in 2016

This deadly dance between Zionism and the UN has now come full circle. In the 1970s Zionism was condemned by the General Assembly at the UN, and the condemnation was sharply criticized by Israel as being so anti-Semitic as to contaminate the Organization as a

whole. In 2016 Israel in a dramatic turnabout relies on the stature and access associated with its UN membership to empower Zionist forces throughout the world to engage in BDS-bashing. In the end, we should appreciate that neither Zionism nor BDS are racist as such, and any serious inquiry should be directed at the behavior of Israel as a member of the UN obliged to respect international law with respect to race and on the actual claims and initiatives of BDS as a transnational civil society initiative seeking the implementation of international law and fundamental human rights.

It was a mistake to play the anti-Zionist card in 1975 as the real grievances of Palestinians and the UN were obscured behind the smokescreen of a false debate about whether or not deep criticisms of Israel were anti-Semitic. It is an even bigger mistake to play the anti-Semitic card in the current global setting as a way of evading the demands set forth by BDS, which seem on their face in accord with international law and morality, and have as a principal virtue the clear commitment to pursue political ends by peaceful means.

The scale of this mistake is enlarged by blurring the boundaries between a proper concern with anti-Semitism as a virulent form of ethnic hatred that has given rise in the past to bloody persecutions and fascist extremism, and most abhorrently to the Holocaust. Opposing BDS on its pragmatic or normative merits is an entirely reasonable posture for those who disagree with its premises, methods, and goals. What is not acceptable is to engage in these provocative efforts to discredit and punish the proponents of BDS, and to threaten adherents with punitive pushback as happens when tenure is abrogated or steps are taken to brand activists by name as targets for vilification and intimidation.

Richard Falk is a member of the [TRANSCEND Network](#), an international relations scholar, professor emeritus of international law at Princeton University, author, co-author or editor of 40 books, and a speaker and activist on world affairs. In 2008, the [United Nations Human Rights Council](#) (UNHRC) appointed Falk to a six-year term as a [United Nations Special Rapporteur](#) on “the situation of human rights in the [Palestinian territories](#) occupied since 1967.” Since 2002 he has lived in Santa Barbara, California, and taught at the local campus of the University of California in Global and International Studies, and since 2005 chaired the Board of the Nuclear Age Peace Foundation. His most recent book is *Achieving Human Rights*(2009).

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