

## **A New Opportunity to Confront the Delegitimization of Israel**

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During Operation Protective Edge, the Jewish community of Rome awoke one morning to anti-Semitic graffiti sprayed on the walls of the city. Posters in the streets proclaimed that “a boycott of every type of Jewish product and merchant is fundamental to stopping the slaughter in Palestine,” because “every Jewish-owned industry, factory, and business earmarks a percentage of its sales for Israel to supply it with weapons and continue to kill those who have a right to live in their own homeland.” The posters listed some forty businesses – clothing stores, butcher shops, restaurants, bars, and hotels – that, it was claimed, have Jewish owners and should be boycotted.<sup>1</sup>

The Rome incident is one of many such cases that occurred against the backdrop of the recent military campaign in Gaza. A report by the Anti-Defamation League found that 51 percent of the anti-Semitic incidents in July showed a direct connection with Operation Protective Edge. The report, which compared the responses around the world over the summer of 2014 with those during Operation Cast Lead in 2009, claims that there is a substantive deterioration with regard to attitudes to Israel. In addition, many pundits argue that this time, the waves of anti-Israel boycotts and protests expanded, reflected in violent incidents, speeches spewing hatred, and attacks against Jews,<sup>2</sup> as well as participation by hundreds of thousands in the consumer boycott of Israeli products in general and products from the settlements in particular.<sup>3</sup>

On the other hand, during the seven weeks of fighting in Gaza, other than a small number of condemnations and scattered calls for a ceasefire, the international community allowed Israel relative freedom of action. The conflict between Russia and Ukraine on the one hand and the campaign by

the Islamic State of Iraq and Syria (ISIS) on the other dominated international attention. However, the relative quiet on the diplomatic front during the fighting could mislead those who do not look beyond the actual military campaign against Hamas. The European Union, Israel's largest trading partner, announced that it is considering a general boycott of products from Israel if their origin is not displayed in advance;<sup>4</sup> prominent allies such as Great Britain and Spain announced during the fighting that they were weighing the continued export of weapons to Israel; Israeli participation in some international festivals was canceled;<sup>5</sup> Israeli tourists were ejected from restaurants and tourist sites in disgrace, and in some cases, were removed from such sites in order to protect them from hostile elements;<sup>6</sup> and overall, the consumer boycott of Israeli goods was expanded, particularly in Europe.<sup>7</sup> Furthermore, after Operation Protective Edge, Mahmoud Abbas joined the already unsettled atmosphere with his old-new program, whose second and third phases deal with the possible failure of the negotiations or a moratorium on talks. In the second phase of the plan, the Palestinian Authority (PA) and Arab League countries will appeal to the UN Security Council and demand that it order Israel to evacuate Palestinian territory within three to five years. In the third and final phase, the PA will join all international institutions, sign the Rome Statute, which created the International Criminal Court in The Hague, and file a claim against Israel and its leaders. This Palestinian unilateral approach has already eroded Israel's status with Britain's House of Commons voting in mid-October, 274-12, in favor of a symbolic motion that stands as an initial stage of UK recognition of a Palestinian state and a similar declaration by the Swedish Foreign Minister.

Clearly, the latest round of fighting with Hamas heightened the challenges facing Israel in the political-diplomatic, media, economic, and legal arenas. The increasing pressure indicates that legitimate criticism of Israeli government policy by the international community is slowly evolving into measures to influence Israel's conduct and its decisions as a sovereign democratic state. During and after Operation Protective Edge, those driving the campaign to delegitimize Israel viewed Israel's gradually eroding international status with much satisfaction. The campaign to delegitimize Israel inevitably limits Israel's political and military room to maneuver, and the expansion of delegitimization efforts in Western public opinion could limit it even further.

One explanation for the unprecedented momentum in the delegitimization campaign during and after Operation Protective Edge is the feeling in world

public opinion that Israel, whose citizens enjoyed the effective protection of the Iron Dome system, responded disproportionately and indiscriminately, harming innocent civilians while wreaking great destruction in Gaza. This sentiment bespeaks a lack of understanding of the nature of fighting by a democratic state against non-state powerful and organized militias. For more than a decade, Western countries, first and foremost the United States, Israel, and Great Britain, have confronted terrorist organizations that protect themselves by blending in with the civilian population, sowing terror, and fighting from within clearly civilian institutions. Taking these disadvantageous circumstances into consideration, during Operation Protective Edge the government of Israel generally adopted a limited, proportional, and restrained policy in fighting against Hamas.

Those behind the wave of anti-Semitism and condemnation of Israel seek to maximize the element of asymmetry in capabilities and powers, while stirring up feelings of subversion and illegitimacy in the media and among the general public. Furthermore, studies indicate a dangerous congruence between the objectives of the Islamic fundamentalist terrorist resistance movements and the network of groups seeking to delegitimize the State of Israel. Both sets of movements seek to undermine Israel's very existence as the Jewish national state, one by means of a militant, asymmetric war of attrition and the other by boycotts and construction of a narrative that blackens and dehumanizes the concept of Zionism.<sup>8</sup>

In general, an examination of Israel's conduct in recent years shows that between the rounds of fighting in Gaza, Israel developed a partial operational and defensive solution to the threat of delegitimization. During Operation Protective Edge, concern for cooperation with the international community and for positive international public opinion, Israel, even while under attacks, was careful to pay attention to the international community and honor ceasefires even when they were systematically violated by Hamas and were often against Israel's best interests. It also exercised great military caution, reflected in the warning leaflets it dropped before firing on Gaza, the instructions to evacuate areas such as Shejaiya and Beit Hanoun, and explicit commands not to fire at areas in which there was a great likelihood of hurting civilians. While this conduct is due primarily to the IDF's ethical code, it also reflects Israel's generally meticulous compliance with international norms.

On the legal front, in part as a result of the lessons learned from Operation Cast Lead and the *Mavi Marmara* episode, Israel strictly adheres to the rules

of international law. Lawyers are included in the decision making process at middle and high military levels and in the headquarters of maneuvering forces. Furthermore, during the fighting, the State Comptroller announced that his office, in coordination with the Prime Minister, would check the political and military decision making processes and examine the IDF and the government's inspection and investigation mechanisms.<sup>9</sup>

The IDF has also learned from past errors, and even before a commission of inquiry was established under the auspices of the UN secretary general, announced that it would conduct a legal investigation of ninety incidents from Operation Protective Edge. These include the deaths of four children on a Gaza beach, the bombing of a school in which fourteen were killed, and an incident of looting in Shejaiya.<sup>10</sup>

The international commission established by the UN Human Rights Council and headed by William Schabas has an overwhelming majority of Asian, African, and South American countries – 34 out of 47 – including Algeria, Saudi Arabia, Pakistan, Cuba, and Venezuela. Each is known for its consistent violation of human rights, and therefore, there is nothing easier than to condemn Israel automatically in the council as part of the double standard familiar in the international arena. However, past experience teaches that Israel's reluctance to cooperate with commissions of this kind serves little purpose. Israel's criticism of the mandate and staffing of these commissions, including the body established after Operation Protective Edge, is appropriate, and Israel must formally protest and make its criticism known to the international community. At the same time, it must demand to submit – under protest – its factual and legal arguments so that they will be presented to the commission, even if it chooses to ignore them.

These efforts notwithstanding, the accelerated erosion of Israel's position in the wake of the operation indicates that a measured security strategy, operational caution, and legal-military deployment are not enough. The harsh images from Gaza, broadcast on international and regional Arab networks, frequently unfiltered and tendentiously edited, are what remain seared in the minds of Arabs and Westerners. Moreover, the demonstrations and events around the world indicate that the Palestinian struggle has long transcended the borders of the Middle East. The Palestinian narrative has been internationalized and framed as a just struggle among many audiences in academia, economics, politics, and public opinion.

This is the background to the organized strategy behind the campaign to turn Israel into a pariah state, as occurred with South Africa. Its purpose is to increase international involvement in Israel itself, and thereby dictate the terms of Israel's independent existence and borders while eroding its standing as the sovereign state of the Jewish people. This is done by tactically and manipulatively copying the global campaign once conducted against the racist dictatorship of South Africa and applying it to the Palestinian-Israeli national conflict.

Israel is not an apartheid state, and the democratic and liberal forces prominent in its society will endeavor to ensure that it would never become one. Nevertheless, during and especially after Operation Protective Edge, as in every round of fighting in which Israel was involved in the past decade, there were increasing comparisons, superficial and baseless though they were, between Israel and the South African apartheid regime. The measures intended to ingrain into Western consciousness that Israel equals apartheid began several years ago among activists and NGOs. They are based in part on repeated comparisons between Israel and South Africa that use racist and inflammatory language to describe Israel's conduct in the territories as a holocaust, crimes against humanity, and ethnic cleansing.

In the campaign to delegitimize Israel, there are no clear and defined milestones. The campaign is being conducted at varying intensities, overtly and covertly. Thus, there is a lurking danger not only of rapid deterioration, up to isolation and censure of Israel, but also that Israel will unfortunately awaken late to the need to deploy against the campaign. South Africa's position in the international community did not get worse overnight; it was a process of ongoing erosion. Over the course of some twenty years, opposition to apartheid spread in world public opinion in the form of boycotts and divestment, in cultural and academic institutions, and in corporations and financial companies. Eventually, Western democratic governments, first and foremost the United States, joined the campaign. This creeping isolation could be Israel's fate, despite its democratic character, military achievements, and measured defense policy.

Now, with Israel's military achievements in Operation Protective Edge and the growing threat from extremist organizations in the Middle East, an opportunity has been created for a political turnabout in Israel's conduct and an effective response, with real significance, to the campaign to delegitimize Israel and blacken its name. Israel should work to end the Arab-Israeli

conflict, with the Israeli-Palestinian conflict at its center, while ensuring the state's existence and security in the heart of the stormy Middle East marked by the waves of fundamentalist Islamic terror.

The revolutions in Arab countries, the civil war in Syria, the growing strength of Salafist jihad, the collapse of government systems, ISIS terror, the rise of the power of the "Arab street," and the weakening of the regimes in all countries in the region make it necessary for Israel to adopt a policy of caution and alertness. However, this does not mean perpetuating the status quo. It appears that today, circumstances and opportunities have been created for Israel. The current regional constellation – a weakened Hamas, a relatively moderate PA leader, an Egypt willing and able to mediate, and a concerted fight against ISIS that includes Egypt, Jordan, Saudi Arabia, and other Arab states – provides tailwind for Israel. Moreover, Israel maintains a pivotal position within the international community's efforts to rehabilitate Gaza and hopefully aid the transition to a gradual resumption of power in Gaza by the Palestinian Authority under Abbas, with Hamas eventually disarmed. That should be exploited to combine a regional political initiative with Israeli-Palestinian negotiations while independently and unconditionally preparing to separate from the Palestinians. Such a combined and graduated initiative would seek to end the Arab-Israeli conflict and ensure the future of Israel as the safe, democratic state of the Jewish people with a responsible, long term, sober view of security for Israel and its citizens.

But that is not enough. In tandem with its political moves, Israel must undertake a national and international effort to confront the effective delegitimization campaign being waged against it on all fronts mentioned above. In academia, the economy, culture, trade, and tourism, Israeli citizens face a delegitimization front and bear the burden of the campaign – economically, in terms of image, and sometimes personally. It is the state's obligation to shield all individuals who stand on the front lines but are not a formal part of the governmental or military system through a protective arrangement that does not leave them on their own. Therefore, the government must allocate resources, combine forces, develop operational and combat doctrines, recruit institutions and individuals from outside the government, and organize these efforts urgently under the umbrella of imperative strategy. Israel today has the power to engender change and lead to a turnabout to cope with this complex threat, and the sooner it does so, the better.

## Notes

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- 2 Tali Farkash, "Dramatic Increase in Anti-Semitism following Protective Edge," *Ynet*, September 11, 2014, <http://www.ynet.co.il/articles/0,7340,L-4570165,00.html>.
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- 5 Merav Yudilovitch, "Following Protest: Israeli Show Canceled in Edinburgh," *Ynet*, August 7, 2014, <http://www.ynet.co.il/articles/0,7340,L-4556110,00.html>.
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- 9 Revital Hoval, "State Comptroller to Check Whether Israel Violated International Law in Gaza," *Haaretz*, August 13, 2014, <http://www.haaretz.co.il/news/politics/1.2405038>.
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