

Palestinian resistance and international solidarity: the BDS campaign

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Abstract: Israel's recent war in Gaza ('Operation Cast Lead') has both exposed Israel's defiance of international law and provided the occasion for increasing support for an organised transnational boycott, divestment and sanctions (BDS) movement. The BDS movement is aimed at challenging the Israeli state's illegal military occupation and a host of corresponding repressive policies directed at Palestinians. However, the BDS campaign, and in particular the call for an academic boycott, has been controversial. It has generated a counter-response emphasising, variously, the goals of the movement as ineffective, counter-productive to peace and/or security, contrary to norms of academic freedom and even tied to anti-Judaism and anti-Semitism. Utilising a Gramscian approach, and drawing from Charles Mills' concept of 'racial contract', we examine the history of the divestment campaign and the debates it has engendered. We argue that the effectiveness of BDS as a strategy of resistance and cross-border solidarity is intimately connected with a challenge to the hegemonic place of Zionism in western ideology. This campaign has challenged an international

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racial contract which, from 1948, has assigned a common interest between the state of Israel and international political allies, while absencing Palestinians as simultaneously non-white, the subjects of extreme repression and stateless. The BDS campaign also points to an alternative – the promise of a real and lasting peace in the Middle East.

Keywords: Boycott, divestment and sanctions movement, 'racial contract', 'separation wall', Zionism, Israel, Palestine

Introduction: the 'racial contract' and Palestine solidarity¹

In the midst of Israel's 22-day war on Gaza (December 2008–January 2009), cynically titled 'Operation Cast Lead',² internationally acclaimed Canadian journalist Naomi Klein published an article titled 'Enough. It's Time for Boycott'.³ Klein unambiguously leant her endorsement to the call of a 'huge coalition of Palestinian groups' to isolate Israel in a manner comparable to the movement of boycott, divestment and sanctions (BDS) that contributed to the collapse of apartheid in South Africa. While this was not the first time Klein had stated her support for the BDS movement, it was the most forceful and, simultaneously publishing the article in the *Guardian* and the *Nation*, the most public.⁴

Israel's war on Gaza provoked a new wave of international solidarity with the people of occupied Palestine and marked a decisive shift in global public opinion regarding the ongoing crisis in the Middle East. Naomi Klein's strong endorsement of the social movement to target Israel's consistent violations of international law and human rights was consistent with similar voices internationally, not least in North America and Europe. The immediate conditions of the military incursion recorded estimates of 1,285 Palestinian deaths, 4,336 wounded and 2,400 destroyed houses.⁵ In the aftermath, Gaza continues to be under siege.⁶ Moreover, the extent of the damage to the lives of the survivors is yet unmeasured: there is evidence of the use of exceptionally violent weaponry including white phosphorous explosives.⁷ Calls for investigations of the possibility of war crimes continue.⁸

Since the war on Gaza, new governments have been elected both in the United States – the most powerful and consistent ally of Israel – and in Israel itself. While there is much hope associated with the departure of former President George W. Bush from the White House, the impact of the agenda for 'change' of newly inaugurated President Barack Obama for lives of Palestinians remains unclear. This is not least because the outcome of the election in Israel promises no change at all regarding the goals and actions associated with Operation Cast Lead.⁹ The conditions that led to the recent attacks, and the circumstances of Israeli aggression and Palestinian occupation, remain.

This article addresses the history, context and strategic significance of the organised transnational movement of civil society actors calling for a BDS campaign to protest against the Israeli state's illegal military occupation of Palestine and refusal to adhere to international law. Following the December

2008–January 2009 war on Gaza, the BDS call was reiterated.¹⁰ New actors and new voices have joined, and continue to join, this movement in rapid response. While the recent war exposed Israel's blatant violation of international law and basic principles of human rights, the BDS movement has inspired a variety of civil society actors, significantly in countries of the global North as well as the global South, to challenge the hegemonic framing of Israel as a victim state in the face of Palestinian 'terrorism'. The BDS movement has been framed to expose and challenge a series of corresponding repressive policies. These include the denial of the right of return of Palestinian refugees, militarised violence directed against Palestinian men, women and children, the confiscation of land from Palestinians, the demolition of Palestinian homes and the daily racism invoked by a series of policies directed at Palestinians which encumber their freedom of mobility, access to education and ability to earn a living.

The BDS campaign, including the call for an academic boycott of Israeli universities,¹¹ has, however, been highly controversial and has been met by a concerted counter-response. Challenges to the BDS call have been associated with claims that the campaign is destined to be ineffective, that it is counter-productive to peace and/or security, that it is contrary to norms of academic freedom and that it is in fact motivated not by progressive but reactionary sentiment, tied to anti-Semitism (here meaning anti-Jewish racism).¹²

In light of the fact that serious debate about Israel's violent and illegal practices is frequently hampered by challenges about the motivations of analysts and the legitimacy of voice, there are barriers to simply beginning with analytical assumptions as is standard in a consideration of solidarity movements.¹³ While we do not accept an essentialist, identity-based analytical framework as a general point of departure, we position ourselves so that prior politically or morally constructed stereotypes or discourses do not distract from the focus of our argument:¹⁴

Abigail Bakan is Jewish, one of six children of parents who were both raised in New York City in the US. Her parents were in turn the children of survivors of and refugees from the east European pogroms. Like most North American Jews, Bakan lost her relatives who were unable to leave eastern Europe in the death camps of the Jewish holocaust. One relative who was a survivor and emigrated after World War Two was spared because he was selected during the Nazi occupation of Poland to serve as a grave digger for the bodies of slaughtered Jewish victims. Yasmeen Abu-Laban is part of the Palestinian Diaspora. In 1948, her father's family was forced out of Palestine by Zionist violence preceding the creation of the state of Israel, becoming refugees. Unlike many Palestinian refugees who remain stateless, often confined in camps, her father eventually immigrated to Canada, along with her American-born mother. Abu-Laban grew up in a peaceable 'east-west' household that challenged the 'clash of civilizations' thesis. Both Bakan and Abu-Laban have lived in Canada in spaces that cross and intersect oppression and privilege, racist discrimination and 'passing' as white, identity and refusal of acceptance of identity.¹⁵

Our analytical framework considers the call for a comprehensive campaign of boycott, divestment and sanctions against Israel from the perspective of international solidarity and posits the campaign as a positive and progressive step in coalition building and the advance of social movements. Further, we argue that support for this campaign can serve as a challenge to a particular element of western elite hegemony in the form of the ideology of Zionism.¹⁶ Adopting a Gramscian approach, and drawing from Charles Mills' concept of the 'racial contract', we consider the origins and history of the BDS campaign and the debates it has engendered in the context of Israel-Palestine. We argue that the effectiveness of such a civil society initiative, as a strategy of resistance and cross-border solidarity, can be usefully framed as an anti-racist movement that contests a post-second world war hegemonic construction of state ideology, in which Zionism plays a central role and serves to enforce a racial contract that hides the apartheid-like character of the state of Israel.

In what follows we first present a brief overview of the practical and theoretical significance of international solidarity and coalition-building in the context of Israel-Palestine. This is followed by a more detailed historical overview of calls for boycott of Israel, and then an elaboration of the recent movement for boycott, divestment and sanctions, including a contextualisation of the call for academic institutional boycott, and responses in the West. The discussion will conclude with a consideration of some of the tasks and challenges of solidarity activists in navigating the terrain of this emergent movement.

The relevance of international solidarity

The importance of the BDS campaign as a strategy of international solidarity is particularly significant in the current context of a revival of peace-building initiatives in the Middle East, and Israel-Palestine in particular. For example, former US President Jimmy Carter, already established as a critic of Israel's intransigence in his provocatively titled book *Palestine: peace not apartheid*,¹⁷ has recently published a sequel. In *We Can Have Peace in the Holy Land: a plan that will work*, Carter expresses a near-desperate plea for Israel to adhere to international law through a negotiated settlement and a deep faith 'that God, with our help, will bring peace to the Holy Land'.¹⁸ Israel's interest in compliance with such a plea remains, however, unclear. The BDS movement gestures, arguably, towards a more realistic strategy, focusing on building an international movement of economic, political and social pressure from below that would isolate Israel as a 'pariah state' comparable to apartheid South Africa.¹⁹

While for many progressive voices and social actors this argument is perhaps obvious, the BDS campaign continues to face exceptional challenges that render its claim to progressive space contentious. This movement has been hampered, we maintain, by an international racial contract which, since 1948, has assigned a common interest between the state of Israel and powerful international political allies, while absencing the Palestinians as both 'non-white' and stateless. The unique role of Zionism as an ideology that lays claim

to anti-racist ideological space as a response to anti-Semitism in the history of Europe, the US and Canada, while at the same time advancing racialised interests of colonial expansion in the Middle East, renders the ideological terrain of the BDS movement in the West complex.²⁰

This complexity is augmented by the near-absence of normalised discourses regarding Israel-Palestine in mainstream academic and policy circles. The charged atmosphere of dialogue and critique is significantly rooted in an ideology of entrenched Orientalism, constructing a framework where 'as human beings the Palestinians do not exist, that is, as human beings with a history, traditions, society, sufferings, and ambitions like all other people'.²¹ The uniquely challenged context of debate on this issue has been widely identified by writers critical of Israeli politics, including established scholars who are also Jewish, such as Norman Finkelstein, Ilan Pappé and Uri Davis.²² Recently, this exceptional atmosphere has also been identified by conservative theorists who align their views, for example, with the likes of the late Samuel Huntington, the principal intellectual architect of the post-9/11 framing of a 'clash of civilizations'.²³ Accordingly, Mearsheimer and Walt, who have challenged the role of the Israel lobby in shaping US foreign policy, maintain that discussion of American support for Israel is made impossible in 'polite company' and is commonly met by moral arguments in an effort 'to stifle or marginalize serious discussion'.²⁴

With the aim of advancing and deepening the critical and progressive dialogue regarding international solidarity with Palestine that has opened recently, Charles Mills' notion of the racial contract is a useful heuristic tool. Framing liberal democratic thought as ostensibly race-neutral, but at the same time dependent upon an acceptance of a hierarchy of racial categories associated with European hegemony and colonialism, Mills suggests that systemic racism is embedded in the fabric of western ideological norms. Mills theorises the entrenchment of 'white supremacy' as an 'unnamed political system that has made the modern world what it is today'.²⁵ This notion allows for, but also demands, historical contextualisation and can be considered as a specific moment in the construction of a Gramscian framing of elite hegemony in the extension of European imperialism.²⁶

Boycotting Israel: history and context

Discussions of a comprehensive boycott of Israel are a recent phenomenon within civil society in Europe and North America. However, similar discussions have taken place in the Middle East since Israel's inception in 1948. In situating the resonance of the current BDS movement in the West, it is useful to consider the changed historical context and the distinctive elements that place the current debates in the context of international solidarity and counter-hegemonic discourse.

In 1948, a call for boycott of the state of Israel was initiated by the League of Arab States (hereafter the Arab League). Three main interdependent features characterised the Arab League boycott: (i) its continued inability effectively to

publicise the human (and human rights) dimension of the Palestinian plight after 1948, particularly in countries of the industrialised West; (ii) its statist, rather than popular, dimension which obscured how boycotts may be a form of peaceful resistance to colonialism and racism; and (iii) its regional, rather than international, dimension. The year 1948 signals a relevant starting point for illustrating these features, through re-consideration of the contested historiography of Israel-Palestine, as well as the contested character of international boycotts in response to this conflict zone.

In Israeli terminology, the events of 1948, leading up to the formation of the state of Israel, are referred to as a war of independence from the British (in Hebrew *Azma'ut*) or a liberation from the Diaspora (*Shihzur*). As Ilan Pappé notes, neither of these terms give any explicit reference to the indigenous Arab population. Notably, it is precisely the experiences of this population that, since the 1980s, have formed the backbone of a revisionist 'post-Zionist' history that has challenged the assumptions underlying the dominant Israeli national narrative.²⁷ This revisionist history is relevant in considering how the human face of the Palestinians is central to today's BDS movement. It should be noted, however, that the core elements of the revisionist history correspond with the longstanding Palestinian national narrative. This views the year 1948 as a catastrophe (in Arabic *Al-Nakba*) characterised by half of the Arab population losing homes and property and becoming stateless refugees outside and inside historic Palestine. Ronit Lentin frames this contested terrain of memory in the context of a challenge to the Israeli state's 'active memoricide of both the Nakba and the ethnically cleansed Palestinians'.²⁸ Abu-Lughod and Sa'di note of the Nakba:

It is the focal point for what might be called Palestinian time. The Nakba is the point of reference for other events, past and future. The Balfour Declaration of 1917 gains its significance from being followed by the Nakba. Landmark events in Palestinian history such as Black September (Jordan, 1970), the massacre at Sabra and Shatila (Lebanon, 1982), Land Day (Israel, 1976) and the first and second intifadas (1987-93, 2000-present) would not have occurred if they had not been preceded by the Nakba to which they refer back. The Nakba has become a key event in the Palestinian calendar - the baseline for personal histories and the sorting of generations.²⁹

An additional feature of the Palestinian narrative is the understanding that in its European roots and, in its simultaneous erasure and racialisation of the indigenous Arab population, the Israeli state was an outgrowth of settler colonisation. Thus Zionism is an ideology which has supported the practices of Israel as a settler state and is not synonymous with Judaism.³⁰ Put differently, there is no equation between being Jewish - a religious or cultural identity - and being Zionist - a political stance that views an exclusively 'Jewish' state as the only effective antidote to a perceived universalised anti-Semitism.

Elsewhere we have expanded on Charles Mills' concept of the racial contract to the international arena, to describe the role of major powers both outside and

through the United Nations in assigning common interest between the state of Israel and international political allies. The racial contract has served to render the state of Israel as exceptional in its relationship to international law, while absencing Palestinians as simultaneously non-white, the subjects of extreme repression and stateless.³¹ Employing Gramsci's understanding of hegemony is useful in this framework, acknowledging how this racial contract, like the capitalist system itself, is never static, but grounded in contradictory forces and subject to challenge.

Prior to 1948, when Palestine was under the British mandate, Palestinian Arabs expressed a form of resistance to growing numbers of settlers by boycotting Zionist businesses and goods.³² This kind of consumer-driven boycott may be seen to have contemporary parallels. For example, the relevance of anti-consumerist activism, particularly in advanced capitalist countries, is an important component of the transnational popular opposition to neoliberal globalisation and quest for global justice that marked the first period of the new millennium.³³ Links with the Palestinian resistance to occupation and war have been a central component of theorisations of the movement for global justice since the Seattle protests against the neoliberal policies of the World Trade Organisation marked the turn of the new millennium.³⁴ Not surprisingly, anti-globalisation theorists such as Naomi Klein, noted above, have readily challenged Israel's links with corporate capitalism and have supported movements for boycott that seek alternative economic outlets.³⁵

Also important to consider, however, are boycotts initiated by states and the context in which this is done. As J. B. Spector points out, modern proponents of boycotts have drawn on an understanding of political action that blends aspects of western and eastern political and religious beliefs:

Since the 20th century, boycotts have included international coalitions of states acting upon non-state actors to affect yet another state; non-state actors seeking to persuade a group of states to act to promote change in the internal policies of yet another state; and efforts by coalitions of international non-state actors (sometimes with the assistance of individual states or international organizations) to bring pressure to bear on the government of a particular state.³⁶

Significantly, the current movement combines calls for boycott, divestment and sanctions against Israel, the latter suggesting calls for state action in combination with those at the level of civil society. The role of the United States (and allies in the United Nations) in imposing extensive sanctions on Saddam Hussein's Iraq after the 1990 invasion of Kuwait is another case in point. While Iraq experienced one of the most comprehensive boycotts in history, other countries have also been a focus for the US (for example, Iran, Libya and Sudan).³⁷ Beginning in 1948, a central way in which opposition continued to be registered regarding the violent origins of the Israeli state – and the consequent plight of the Palestinians – was through the Arab League's boycott against Israeli companies and Israeli-made goods.

Founded in 1945 with six members, the Arab League has since then grown as a regional organisation to its current membership of twenty-two. In contrast to the European Union, the Arab League has not achieved the same level of economic and political integration. Thus, whereas there is now a European Union citizenship, the Arab League does not directly link with citizens of member states. As such, and notwithstanding longstanding and continuing provisions made for representing the stateless Palestinians, the Arab League boycott needs to be seen as having a heavily statist dimension. As it developed, the Arab League boycott came to focus on three tiers:

The primary boycott prohibits the importation of Israeli-origin goods and services into the boycotting countries. The secondary boycott prohibits individuals, as well as private and public sector firms and organizations, in member countries from engaging in business with any entity that does business in Israel. The Arab League maintains a blacklist of such firms. The tertiary boycott prohibits any entity in a member country from doing business with a company or individual that has business dealings with U.S. or other firms on the Arab League blacklist.³⁸

The Arab League boycott, still in effect today, represents the longest-standing case of economic sanctions being applied against a state.³⁹ Indeed, there is a specialised bureau in Damascus known as the Central Boycott Office to administer the boycott. Nonetheless, the boycott regulations are not binding on member states and, moreover, not all participate. For instance, some members of the Arab League signed other agreements with Israel that effectively ended the boycott (for example, Egypt since 1979 and Jordan since 1994).⁴⁰ It appears clear that the boycott's tenacity is shaped by the relative intensity of the Israeli-Palestinian conflict. Therefore, in the wake of the Oslo Accords and the subsequent new discussions of Arab-Israeli regional economic cooperation,⁴¹ some were led to describe the boycott of Israel as 'disintegrating'.⁴²

More broadly, the impact of both neoliberal globalisation and pressures by third countries are also relevant. Some analysts have noted the difficulty of even applying the boycott at the secondary and tertiary levels given contemporary production processes, where a finished product from one state may in fact be made up of a number of unmarked component parts from other states.⁴³ Regardless, the impact of third countries in challenging the Arab League boycott is apparent. For Arab League members, abandoning the boycott was a requirement for entering into free trade agreements with the United States (such as Bahrain in 2005 and Oman in 2006). Similarly, Saudi Arabia officially dropped the boycott as a condition of joining the World Trade Organisation.⁴⁴ Most significantly, the United States in particular has actively worked to oppose this boycott, especially after the 1973 Arab-Israeli War.

A full account of the US response to the Arab League boycott of Israel goes beyond the scope of this discussion. However, some relevant factors may be noted. These include not only the historic Middle East conflict, but also the impact of the OPEC decision to embargo oil shipments to America and

the blunt interests of American capital (in 1960, the number of American companies on the blacklist was only fifty-three, but by 1970 it had soared to over 1,500). Further, by 1975–76, the anti-boycott movement, supported by the Anti-Defamation League of B'nai B'rith, the American-Israeli Public Affairs Committee and the American Jewish Congress, had gained enough momentum for President Gerald Ford to agree to sign into law anti-boycott legislation. These measures allowed for the disclosure of American companies that endorsed or complied with the Arab League boycott and the loss of government contracts and tax benefits for businesses that were in compliance. The language of preventing 'discrimination' against Americans on the basis of race, colour, religion, national origin, gender and so on peppered the justification of these measures.⁴⁵ Other western states, including France, Germany, and the Benelux countries, also subsequently passed anti-boycott legislation and trade between Israel and Britain, Japan, the EU countries, Canada and Australia has grown.⁴⁶ In combination, these responses and measures have impacted the Arab League's boycott and led this boycott to be described, in 2006, as, simply, 'lip service'.⁴⁷

The statist element of the Arab League boycott, coupled with the shifting commitment of states in the boycott over time, coincided with the Arab League's inability to present the boycott as a means of peaceful resistance to colonialism and racism. Relatedly, this statist character inhibited the extension of the boycott beyond the regional level, despite attempts to have it taken up in the United Nations. A contrasting case of the transformative impact of an international boycott is the 1950s challenge to South Africa's apartheid system. In the end, this movement involved a combination of popular, state-supported and UN sanctions,⁴⁸ which were embraced by a host of western states, notably ultimately including the US.⁴⁹

The South African example therefore forms an interesting point of comparison, not least, as numerous analysts have pointed out, because there are relevant similarities between apartheid South Africa and Israel-Palestine including the West Bank and Gaza.⁵⁰ As summarised by Daryl Glazer, these relate to the manner in which both apartheid and Israeli Zionism have served to undermine liberty (especially the mobility of persons), equality (especially the economic equality between identifiable groups) and democracy (especially the franchise).⁵¹ Moreover Israel stood out amongst states internationally for continuing to cooperate with apartheid South Africa, including in nuclear and military spheres.⁵²

In sum, the Arab League's boycott did not win over others outside the region in the manner that accompanied the boycott of South Africa. As Will states:

Apartheid South Africa was overwhelmingly regarded as a pariah state by the international community. By contrast, Israel, which in the eyes of its critics shared a legacy of settler colonialism, was staunchly embraced by the United States and abetted the regime in South Africa. Despite the opprobrium of the majority of the United Nations General Assembly, Israel was not subject to international pressure for change comparable to that exerted on South Africa.⁵³

It is perhaps an indication of the inability of the Arab League boycott to effectively publicise the human rights dimensions of the Palestinians in the industrialised West, or to present the boycott as a form of resistance to colonialism and racism, that has rendered it absent as a point of reference in the current BDS movement. In contrast, since the 2000s, the BDS movement has included South African spokespersons (for example, Desmond Tutu).⁵⁴

The new movement has found resonance in civil society organisations that have emerged in the context of a renewed period of anti-neoliberalism and opposition to US militarism associated with the Iraq war, largely based on the analogy with South Africa. The fact that the BDS movement is also associated with a new generation of Palestinian and other Arab activists in the diaspora is significant.⁵⁵ The BDS movement has emerged in the post-9/11 climate in which fear, racial profiling and detention of Arabs and/or Muslims has become more salient, but has also been countered by a global movement against war and racism.⁵⁶ Indeed, according to Gargi Bhattacharyya, 'support for Palestinian human rights has become the emblematic solidarity movement of our time'.⁵⁷ Recent events surrounding Israel's war on Gaza have lent further credence to this observation. George Galloway, MP for the anti-war Respect coalition in the UK, embarked on a 'Viva Palestina' convoy voyage of 'aid and solidarity', departing on 14 February 2009, in an attempt to bring supplies of food and medicine directly from workers and students in the UK to the people of Gaza.⁵⁸ In announcing the plan for the convoy, Galloway indicated the centrality of Palestine in the anti-war movement:

No person of conscience bought South African goods during apartheid. Today, Israel, its produce and manufactured goods should also be shunned. The call to boycott Israel is growing and Jewish supporters of the Palestinians are among the most vocal. ... In the 1930s, working-class people across Europe rallied to aid the people of republican Spain, who faced the bombing of towns and the massacre of civilians by the forces of jackbooted General Franco. The cry then was 'Aidez l'Espagne!' The call today should be: 'Viva Palestina!'⁵⁹

In contrast with the Arab League, the contemporary BDS movement is non-hierarchical and has made use of new forms of communication – including international e-mail networks, blogs and web-based journalism – to provide information that translates readily from Arabic to English and other languages and to facilitate coordinated mobilisation.⁶⁰ For example, since 2001 the significance of the online publication *Electronic Intifada* has been immeasurable in providing information and analysis from a Palestinian perspective.⁶¹ Whatever the limits of an overarching concept of 'global civil society', this type of communication has supported and facilitated changes in strategies of resistance and solidarity.⁶²

In the current period, the racial contract that structured Israel as an historically exceptional state grounded in an anti-racist narrative of rescue of Jews from the ravages of the Holocaust has been challenged. Now, after decades

of ongoing resistance by the Palestinian people, a new counter-hegemonic discourse is emerging and finding resonance in international solidarity campaigns in the West. In this context, new symbols and symbolism are also becoming points of reference. While the daily racism experienced by Palestinians at checkpoints has been a hallmark feature of Israel's occupation since 1967, Israel's 'separation wall' built in the 2000s has been re-dubbed the 'apartheid wall' and has come to provide a graphic symbol of contemporary Palestinian oppression. This climate has created new space for discussion of history, including the Nakba and the shared history of Jews, Christians and Muslims in Israel-Palestine. It is therefore perhaps no coincidence that there has also been a growing number of voices challenging a two-state solution in the aftermath of the Oslo period and calling for a secular democratic state that takes post-apartheid South Africa as a comparative model.⁶³ Of course, the BDS movement continues to face significant challenges, but there is little question that it has forged a new space for solidarity and discussion.

Palestinian civil society and the BDS call

The recent movement includes a number of initiating moments, but the most comprehensive call for a global campaign for boycott, divestment and sanctions was launched in July 2005, by 170 civil society organisations within Palestine itself. Civil society here refers to non-state organisations, including trade unions, faith-based communities, student organisations, social movement organisations and political parties.⁶⁴ The achievement of a unified response among Palestinian organisations challenged divisions that had developed, particularly since Oslo, and pointed to a strategy of non-violence and international solidarity inspired by the successful transition from apartheid South Africa.

The call-out is in direct response to Israel's persistent violation of international law. It is structured to provide a basis of unity that can combine broadly diffuse organisations and forces. The unified call is based on three demands grounded in basic principles of human rights widely recognised in international human rights practices and discourse:

In light of Israel's persistent violations of international law, and

Given that, since 1948, hundreds of UN resolutions have condemned Israel's colonial and discriminatory policies as illegal and called for immediate, adequate and effective remedies, and

Given that all forms of international intervention and peace-making have until now failed to convince or force Israel to comply with humanitarian law, to respect fundamental human rights and to end its occupation and oppression of the people of Palestine, and

In view of the fact that people of conscience in the international community have historically shouldered the moral responsibility to fight injustice, as exemplified in the struggle to abolish apartheid in South Africa through diverse forms of boycott, divestment and sanctions;

Inspired by the struggle of South Africans against apartheid and in the spirit of international solidarity, moral consistency and resistance to injustice and oppression,

We, representatives of Palestinian civil society, call upon international civil society organizations and people of conscience all over the world to impose broad boycotts and implement divestment initiatives against Israel similar to those applied to South Africa in the apartheid era. We appeal to you to pressure your respective states to impose embargoes and sanctions against Israel. We also invite conscientious Israelis to support this Call, for the sake of justice and genuine peace.

These non-violent punitive measures should be maintained until Israel meets its obligation to recognize the Palestinian people's inalienable right to self-determination and fully complies with the precepts of international law by:

1. Ending its occupation and colonization of all Arab lands and dismantling the Wall;
2. Recognizing the fundamental rights of the Arab-Palestinian citizens of Israel to full equality; and
3. Respecting, protecting and promoting the rights of Palestinian refugees to return to their homes and properties as stipulated in UN resolution 194.⁶⁵

This initiative followed the ruling of the International Court of Justice (ICJ) regarding the legality of the construction of Israel's 'separation wall' through the West Bank and East Jerusalem. On the request of the United Nations, the ICJ considered the legality of the wall and concluded on 9 July 2004 that its construction was in violation of international law. The ICJ also ruled, by recurrent votes of fourteen to one, that the Israeli state must stop further construction, remove the parts already constructed and compensate Palestinian families for losses of land and livelihood resulting from the wall.⁶⁶ On 20 July, the UN General Assembly called for Israel to comply with the Court's decision. The unified BDS statement opens with this recognition of the wall's illegality and was released on the one-year anniversary date of the ICJ ruling. The appeal is expressed in terms that indicate the failure and frustration with existing international channels, speaking directly from a coalition within Palestinian civil society to civil society organisations internationally:

One year after the historic Advisory Opinion of the International Court of Justice which found Israel's Wall built on occupied Palestinian territory to be illegal, Israel continues its construction of the colonial Wall with total disregard to the Court's decision. Thirty-eight years into Israel's occupation of the Palestinian West Bank (including East Jerusalem), Gaza Strip and the Syrian Golan Heights, Israel continues to expand Jewish colonies. It has unilaterally annexed occupied East Jerusalem and the Golan Heights and is now de facto annexing large parts of the West Bank by means of the Wall. Israel is also preparing - in the shadow of its planned redeployment from the Gaza Strip - to build and expand colonies in the West Bank. Fifty-seven years after the state of Israel was built mainly on land ethnically cleansed of its

Palestinian owners, a majority of Palestinians are refugees, most of whom are stateless. Moreover, Israel's entrenched system of racial discrimination against its own Arab-Palestinian citizens remains intact.⁶⁷

The ongoing construction of the 'apartheid wall' has served as a turning point. Construction began on 16 June 2002. Currently nearing completion, it is expected to extend over 670 kilometres, consisting of a series of 25-foot high concrete walls, barbed wire and electric fences, trenches, electronic sensors, thermal imaging and video cameras, and unmanned aerial vehicles. The building of the wall also includes a series of new roads for patrol vehicles and towers equipped for armed Israeli snipers.

According to a study completed by the Anti-Apartheid Wall Campaign, estimates are that 50 per cent of the West Bank population will be affected by the construction of the wall through loss of land and de facto isolation in ghettos encircled by the snake-like construction of the wall.⁶⁸ As noted above, within Israel as well as occupied Palestine, the continued construction of the wall has provoked comparisons with South African apartheid:

Comparisons between white rule in South Africa and Israel's system of control over the Arab peoples it governs are increasingly heard. Opponents of the vast steel and concrete barrier under construction through the West Bank and Jerusalem dubbed it the 'apartheid wall' because it forces communities apart and grabs land. Critics of Ariel Sharon's plan to carve up the West Bank, apportioning blobs of territory to the Palestinians, draw comparisons with South Africa's 'bantustans' – the nominally independent homelands into which millions of black men and women were herded. An Israeli human rights organisation has described segregation of West Bank roads by the military as apartheid. Arab Israeli lawyers argue antidiscrimination cases before the supreme court by drawing out similarities between some Israeli legislation and white South Africa's oppressive laws.⁶⁹

The wall's construction goes beyond previous borders between Israel and the occupied territory of the West Bank, sometimes reaching 6 kilometres into Palestinian land. Only 20 per cent of the wall coincides with the pre-1967 green line that marks Israel's borders prior to the Six Day war of occupation. Construction companies contracted to blast, dig and build sections of the wall are surrounded by armed forces, often supplemented by private mercenaries who stand with their fingers on the triggers of hand guns, as the armed units seize Palestinian lands.⁷⁰ The wall's construction had been widely identified as a method of land confiscation, extending Israeli colonial occupation and forcing indigenous Palestinians into further poverty, isolation and threat of persecution. This view is shared even by those not normally associated with radical activism, such as former US President Jimmy Carter:

Especially troublesome is the huge dividing wall in the populated areas and an impassable fence in rural areas. The status of this barrier is key to the future of peace in the Middle East. ... [T]he governments of Ariel Sharon and

Ehud Olmert have built the fence and the wall entirely within Palestinian territory, intruding deeply in the West Bank to encompass Israeli settlement blocs and large areas of other Palestinian land. ... The area between the segregation barrier and the Israeli border has been designated a closed military region for an indefinite period of time. Israeli directives state that every Palestinian over the age of twelve living in the closed area has to obtain a 'permanent resident permit' from the civil administration to enable them to live in their own homes. They are considered to be aliens, without the rights of Israeli citizens.⁷¹

Unusually, even former US President George W. Bush stated his discomfort with Israel's insistence on constructing the wall. Bush commented in 2003 at a joint White House press conference with then Palestinian Prime Minister Mahmoud Abbas: 'I think the wall is a problem. It is very difficult to develop confidence between Palestinians and the Israelis with a wall snaking through the West Bank.'⁷²

The comprehensive call for boycott, divestment and sanctions emerged as a response to the ICJ ruling, the UN endorsement and Israel's subsequent overt refusal to comply while not facing any consequences in its international stature.⁷³ The BDS call is unique in its clarity and unified base of support within Palestinian society. It was preceded by the longstanding calls for boycott from Arab states referred to above, as well as a call for economic, cultural and academic boycott of Israel in 2002.⁷⁴ It has been followed by a parallel call from Palestinian filmmakers, artists and cultural workers⁷⁵ and a broad coalition of Palestinian labour federations, vocational and professional trade unions.⁷⁶ However, it is also unique in the resonance it has met among civil society groups in Europe and North America. For example, award-winning British filmmaker Ken Loach issued a public statement in August 2006 in which he pledged support for the boycott called for by Palestinian film-makers and artists and stated that he would decline an invitation to present one of his films at the Haifa Film Festival 'or other such occasions'.⁷⁷

Associating the conditions of Palestinians directly with churches, student organisations, trade unions, municipalities and social movements, the BDS strategy is designed not only to promote economic consequences for Israel's economy, but also, and often deemed more importantly, to disrupt hegemonic discourse that Israel is a progressive state. The stated goals of the campaign are specifically grounded in education and building an international culture that supports Palestinian human rights:

The main goals of this call are: To reveal to the world the nature of Israel's occupation and apartheid regime; To give human rights a real value by making Israel accountable and forcing it to pay a price for its crimes; To reveal and highlight the responsibility of the international community in supporting Israeli crimes and violations of human rights and international law; [and] Above all, to end international support for Israeli occupation and apartheid since these cannot survive without external assistance.⁷⁸

The campaign is designed to be flexible in its application and adaptable to specific conditions in various international, regional and local contexts. Consistently, however, the place of Zionism as a hegemonic element in western ideology has been challenged and debates regarding the nature of racism and anti-racism have inevitably ensued. Despite facing intense lobbying and opposition to varying degrees among organised Zionist interests, the BDS campaign has continued to grow.

The movement for academic boycott acquired considerable attention as a result of an initiative from British university and college lecturers for extending an educational campaign. This was met with considerable backlash, resonating among Canadian universities, but not in a manner that served to stall momentum for discussion of the implications of academic boycott in either the UK or Canada.⁷⁹ Currently, renewed initiatives to pursue the implications of academic boycott are under consideration among the University and College Union lecturers in Britain.⁸⁰

However, the reach of the BDS call has been much wider, evidenced by its resonance during and after the 2008–9 war on Gaza. A few examples indicate the speed and expanse of the appeal. University students in the UK, in a wave of protests considered comparable to the events of the 1960s, were galvanised to demand, among other issues and often successfully, that their universities divest funds from Israeli institutions.⁸¹ In the United States, the prestigious Hampshire College in Amherst, Massachusetts, became the first of any post-secondary institution in the country 'to divest from companies on the grounds of their involvement in the Israeli occupation of Palestine'.⁸² Labour actions included historic acts of solidarity. Dockworkers in Durban, South Africa, for example, members of the South African Transport and Allied Workers Union (SATAWU), refused to offload an Israeli ship in anticipation of its arrival on 8 February 2009.⁸³ In Norway, the Locomotive Drivers Union on 8 January saw all trains, trams and subways come to a halt in a two-minute protest, during which time a statement demanding 'the immediate withdrawal of all Israeli troops from Palestinian territory' was read to all passengers.⁸⁴ New and louder voices in support of boycotting Israel also include significant challenges to the mainstream Zionist organisations among the international Jewish community.⁸⁵ The close identification of this campaign with the global movement for social justice was indicated at the 100,000 strong meeting of the World Social Forum (WSF) in Belém, Brazil. The WSF issued a statement in support of the BDS campaign and further called for an international day of action on 30 March 2009.⁸⁶

However, even before the Gaza events, the call was attracting more adherents. For example, in a November 2008 statement, the President of the United Nations General Assembly, Father Miguel D'Escoto Brockmann, urged the use by the UN of the term 'apartheid' to describe Israeli policies in the Occupied Palestinian Territories. He noted the resonance of the sanction campaign against South Africa in the UN historically and suggested 'perhaps we in the United Nations should consider following the lead of a new generation of civil society,

who are calling for a similar non-violent campaign of boycott, divestment and sanctions to pressure Israel to end its violations'.⁸⁷ The civil society organisations endorsing the BDS initiative included, in Europe, the Dutch ASN Bank which in November 2006 became the first bank to divest from companies benefiting from Israeli occupation, the Norwegian Civil Service Union which in the same month voted in favour of a boycott of Israel though an arms embargo, and Connex Ireland, operating railway lines in Ireland, which in August 2006 cancelled plans to train Israeli engineers and drivers in Ireland. In the same month, the Irish Joint Committee on Foreign Affairs called for the Irish government to push for sanctions against Israel in the European Union due to Israel's human rights abuses whilst organisers for the Edinburgh Film Festival cancelled sponsorship of the festival by the Israeli embassy and returned all funds received from the Israeli government. Finally, that month, the administrative council of the Greek Cinematography Centre withdrew all Greek films from participation in the Haifa Cinema Festival scheduled for October 2006.⁸⁸

In December 2005, the local council of the region of Sør-Trøndelag in Norway passed a motion calling for a comprehensive boycott of Israeli goods, to be followed up with an awareness-raising campaign across the region. In a statement reporting on the motion, it was noted that:

Sør-Trøndelag has a population of 270,000 out of Norway's 4.6 million. Trondheim, Norway's third largest city, forms part of the region and will participate in the boycott initiative. The council committed itself to this motion as a result of intensive work by Norwegian activists that had launched a national Boycott Israel campaign this June [2005].⁸⁹

This motion followed a similar one passed by a municipality in the Basque country, Arbizu.⁹⁰

In South Africa, the campaign for boycott, divestment and sanctions against Israel, modelled on the international movement that supported the anti-apartheid struggle, met the recent attacks on Gaza with an already-established history of support from the major trade union federations, student organisations and leading representatives of post-apartheid governments.⁹¹ Archbishop Desmond Tutu's open comparison of Israel's treatment of the Palestinians to that of blacks in apartheid South Africa generated considerable support.⁹² This support has, in turn, fuelled the appeal of the BDS campaign in other countries where memories of solidarity actions against apartheid South Africa continue to resonate.

The 2008 statement of the UN General Assembly President reflects the aim of the BDS movement to adopt the analogy between Israel and apartheid South Africa as an educational tool. This analogy has acted as a means of breaking down the ideological framing of Israel as an exceptional state on the grounds of its self-described 'Jewish' character, presuming an identity between Judaism, Jewish culture and Zionism. The direct association between South African activists and Palestinian solidarity organising on university campuses has been important in advancing civil society support for the BDS movement. One

indication of this is the growth of a movement for internationally coordinated educational conferences under the banner of 'Israeli Apartheid Week':

This year [2008] Israeli Apartheid Week (IAW), which began in Toronto four years ago, took place in 25 places across the world including, for the first time, Palestine and South Africa. In a symbolic gesture, exiled Palestinian member of the Israeli Knesset, Azmi Bishara, gave the opening address of IAW in Soweto, South Africa. Bishara said, 'Reconciliation happened in South Africa after apartheid was dismantled, not instead. The message sent to the Palestinians is that you have to make peace and reconcile. We can reconcile after racism and occupation is dismantled.' Dr. Bishara's lecture was screened during IAW in participating cities around the world, a sign of the new level of coordination between anti-apartheid activists on a global level. The 2008 IAW was held under the banner '60 Years of Nakba: End Israeli Apartheid.' The analysis of apartheid put forward during IAW in previous years has played an important role in raising awareness and disseminating information about Zionism, the Palestinian liberation struggle, and its similarities with the indigenous sovereignty struggle in North America and the South African anti-Apartheid movement.⁹³

Other examples in the Third World can also be noted. In Indonesia, for example, a women's tennis team scheduled to play in a major play-off in Israel scheduled for July 2006, withdrew from a tie as an act of solidarity with Palestinians. The Indonesian Tennis Federation and government representatives from the ministries of sport and foreign affairs also announced a boycott of the games in response to Israeli aggression of Palestinians in the Gaza Strip.⁹⁴

In an important indication of state sanctions allying with civil society initiatives in Latin America, President Hugo Chavez withdrew Venezuela's ambassador to Israel in August 2006 in response to Israel's war on Lebanon.⁹⁵ The war on Gaza saw an extension of Venezuela's show of solidarity with the Palestinian cause. On 6 January 2009, Chavez expelled Israel's ambassador to Venezuela in protest at the attacks on Gaza.⁹⁶ Days later, Bolivia's President Evo Morales similarly severed the country's diplomatic ties with Israel.

In North America, the US Green Party adopted a position in support of divestment and boycott of the state of Israel in May 2006. In Canada, the Canadian Union of Public Employees (CUPE) Ontario regional convention passed a resolution in May 2006 supporting the comprehensive call for BDS. Despite a concerted and organised campaign to compel union delegates to reverse the decision, the union leadership responded with a mass educational campaign in defense of 'Resolution 50'. The resolution is now policy, entrenched in union educational, research and policy documents. However, Sid Ryan, president of CUPE Ontario, reflected on his experience:

I've fought as a trade union leader and I'm from the Republic of Ireland. I've seen racism and reactionaries. But never have I experienced the type of attacks we faced after our own rank and file delegates unanimously adopted Resolution 50 responding to the people of Palestine. These attacks were not from our own members. In CUPE, of 225,000 members, only two

locals, five e-mails and two phone calls objected. From outside the union there were more than 30,000 e-mails, death threats, attacks on my family, and on the memory of my father and mother. But we stood firm and we are standing firm.⁹⁷

The United Church of Canada's Toronto Conference supported the position for boycott, divestment and sanctions adopted by CUPE Ontario in a public press conference in June 2006, following a proposal for boycott from the Occupied Territories supported by a United Church task force committee.⁹⁸ In April 2008, the first national union in North America, the Canadian Union of Postal Workers, passed a motion modelled directly on the BDS resolution adopted by CUPE.⁹⁹ Both unions committed considerable resources to membership education and debate among rank and file trade union members, extending the reach of discussion and support for Palestinian rights. Significantly, a number of Jewish civil society organisations and prominent individuals have also endorsed the BDS campaign.¹⁰⁰

The links established between civil society organisations internationally and within Palestine itself have also been significant. One Canadian journalist reported on a BDS conference in Palestine taking place in November 2007, noting the sense of unity and optimism that the campaign inspired, even in the face of relentless military aggression:

The BDS strategy is powerful precisely because it defies the political fragmentation that has been the consequence of Israel's expulsion, settlement, and bantustanization policies. ... [I]t contributes to building a united framework for a struggle for self-determination that Palestinians living in the Diaspora, Arab countries, Gaza, the West Bank, and Israel can all participate in. BDS avoids creating a situation in which solidarity activists undermine that unity by funding or grooming the Palestinian counterpart that reflect their own sense of a just solution, or of what 'self-determination' should look like. Islah Jihad, a professor of Women's Studies at Birzeit University, referred to BDS as a way of developing 'joint ownership' over a political process, and contrasts it with the divisive 'clientelism' that has characterized the vast majority of international support for Palestinian non-governmental organizations since the first Intifada.¹⁰¹

Hegemony and counter-hegemony

The continued development of the BDS movement demands widening dialogues and has helped to establish the prospects of a more open atmosphere of normalising reasoned debate regarding the Israel-Palestine reality. However, there are also indications of considerable backlash. Despite the ways in which the BDS movement may peacefully challenge the Zionist settler project as carried out by Israel and supported by allies, it faces what Ian Urbina has called 'steep challenges'. Urbina observes with respect to the American context:

One of the foremost shortcomings in the analogy between the anti-apartheid and anti-occupation movements is that it does not begin to capture the

organized resistance faced by current US activists. The South African divestment campaign was sown on fertile soil in the US, where the memory of the civil rights movement fed directly into outrage over apartheid's explicitly racial case system. The Palestinian struggle against the occupation faces a far less hospitable environment. ... For every divestment petition, counter-petitions have collected signatures at almost double the speed. For virtually every anti-occupation rally, there has been an equally large or larger demonstration, candlelight vigil or film series in support of Israel and its policies.¹⁰²

This observation has varying degrees of parallels in other western countries where the BDS movement has gained momentum in the 2000s.¹⁰³ The charged atmosphere that has surrounded the calls for academic boycott in the UK and Canada are a case in point. The claim has been widely made, not least by a concerted movement of university and college presidents across Canada and the US, that calls for boycott of Israeli institutions marks a denial of principles of freedom of speech. By way of contrast, in the name of defending Israel from Hamas rocket fire, Islamic University of Gaza was levelled during Operation Cast Lead. As Israeli professors Neve Gordon and Jeff Halper stated during the attacks, writing on 31 December 2008:

Not one of the nearly 450 presidents of American colleges and universities who prominently denounced an effort by British academics to boycott Israeli universities in September 2007 have raised their voice in opposition to Israel's bombardment of the Islamic University of Gaza earlier this week. ... Most others who signed similar petitions, like the 11,000 professors from nearly 1,000 universities around the world, have also refrained from expressing their outrage at Israel's attack on the leading university in Gaza.¹⁰⁴

Notably, during the height of South African apartheid, the African National Congress called for an academic boycott as a way to further pressure the apartheid regime. Inspired by this movement, in 2002 an academic boycott of Israel was first advanced by two British-based academics, Hilary and Steven Rose, who viewed the academic, cultural and sports boycotts imposed on apartheid South Africa as a model for resisting Israeli policies.¹⁰⁵ They subsequently replied to claims suggesting that Steven Rose was a 'self-hating Jew':

The charge is intellectually absurd, personally disgusting – especially when leveled against those whose own families died in the death camps and who have spent their active public lives opposing racism and Fascism – and politically hazardous, in that it suggests any criticism of Israel is equivalent to attacking Jews.¹⁰⁶

Indeed, for those advocating an academic boycott of Israeli institutions, this is advanced precisely because it is a peaceful non-violent tactic. It is a way to apply international pressure in the hopes that the structural racism experienced by Palestinians at the hands of the Israeli state will be dismantled, following the example of South Africa when apartheid was dismantled.¹⁰⁷ The academic boycott of Israeli institutions, which is geared to institutions and not

to individuals, is then only one component of the broader boycott, divestment and sanctions movement aimed at delivering a just and lasting peace.¹⁰⁸

The BDS movement, particularly in terms of its resonance in the global north, can therefore be understood as a counter-hegemonic movement. The increasing influence of the movement among students, labour and human rights activists in light of the war on Gaza is indicative of its combined strategic and educational capacity. In framing Israel as an apartheid state, the BDS call has contributed to an anti-racist challenge to the Orientalist and Islamophobic messaging associated with the George Bush era and the war on terror. It has brought back 'the question of Palestine' in a way that resonates across ethnic, religious and cultural divisions fuelled by state actors internationally in the post-9/11 era.¹⁰⁹

However, at the core of the effectiveness of the BDS movement, and the central subaltern element in its counter-hegemonic force, is the unity of purpose that it reflects within Palestine itself. After decades of disappointment and fragmentation in the aftermath of the failed Oslo accords, the BDS movement has united Palestinians across borders, political factions and generations. It has brought renewed attention to Israel's persistent violations of international law, including the construction of the 'apartheid wall', the denial of civil rights of Palestinian Israelis and the denial of the right of return of Palestinian refugees. As Palestinian civil society leader Omar Barghouti has stated, there is a profound 'ethical dimension' to the boycott of Israel:

Faced with overwhelming Israeli oppression, Palestinians under occupation, in refugee camps and in the heart of Israel's distinct form of apartheid have increasingly reached out to the world for understanding, for compassion, and, more importantly, for solidarity. Palestinians do not beg for sympathy. We deeply resent patronization, for we are no longer a nation of hapless victims. We are resisting racial and colonial oppression, aspiring to attain justice and genuine peace. Above all, we are struggling for the universal principle of *equal humanity*. But we cannot do it alone. ... Given its uncontested military superiority, the unquestioning and all-embracing support it enjoys from the world's only empire and the lack of political will by Arab and European states to hold it in check, Israel has been gravely violating international law, with audacious impunity, showing little if any consideration for the UN or world public opinion. Only consistent, systematic and broad international pressures can help end Israel's oppression and injustice, through ascertaining its status as a pariah state.¹¹⁰

The potential effectiveness of the BDS movement may be illustrated in part by the reactive response of the hegemonic bloc it challenges, including the Israeli state. Israel's refusal to adhere to international law coincides with its public image as a 'democracy' challenged by 'terrorists'. Its defensive posture is indicated in its unprecedented 'rebranding campaign' in cities around the world. This campaign seeks to market Israel as an attractive locale for tourism and investment and alter the image of Israel as an aggressor state.¹¹¹ The rebranding efforts can be expected to continue in the aftermath of the carnage revealed during the war on Gaza.¹¹²

The current conjecture then is one in which an historic hegemony, where Zionism has been incorporated in an international racial contract, is under intense challenge through the resistance from Palestinian civil society. There is, in this context, deepening resonance to the counter-hegemonic argument that views Israel as a state that should be isolated internationally through boycott, divestment and sanctions until it reverses its racist violations of international law and human rights. In contrast to the failure of the United Nations effectively to sanction the Israeli state's defiance of international law, what could be seen as a 'United Nations from below' has taken the responsibility. The BDS movement is one that international solidarity activists and anti-racist social theorists can and should constructively embrace and advance, regardless of the fraught atmosphere of debate and challenges. In fact, these challenges can be understood as an inevitable feature of an ongoing dislodgement of an historic hegemonic discourse. The BDS movement is showing all the signs of a current that can grow significantly and can serve as an important step in forging global solidarity against racism, colonialism and oppression.

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