

Talk for Meeting on November 13, 2002

Brian Barry

The fundamental principle of the postwar international order, embodied in Security Council Resolutions 242 and 338, is 'the inadmissibility of the acquisition of territory by force' (Lustick, p. 399). This was the legal basis for the war against Iraq when it annexed Kuwait. The position of the United States government currently appears to be, indeed, that any 'material breach' of a Security Council resolution provides a valid justification for war against the offending country. Israel has been in 'material breach' of Security Council resolutions for the past thirty-five years by continuing to occupy territory acquired by force. Yet this same American government, so far from pressing for sanctions or military intervention, is providing billions of dollars every year in military and economic aid. If the United States were to reduce this aid by ten per cent for every month that the Israeli occupation continues, it is doubtful that any further steps would be necessary. I would, incidentally, include economic as well as military aid here, because Israel's own GDP per head makes it by international standards a middle-income country, and does not qualify for economic aid on any poverty-related criterion. Economic aid to Israel is a purely gratuitous gift from the American tax payer, so there is nothing against attaching conditions to it.

Leaving international law and morality on one side, let's focus on the nature of the occupation itself. In 1986, an editorial in Nekuda, the journal of the

Israeli settlers, ran as follows: 'The key question . . . bears upon our ability, as a people and a state, to establish a quiet and normal sovereignty in Judea, Samaria, and Gaza, despite the fact that the Arabs living there still comprise an unchallenged demographic majority.' (Lustick, p. 393) That was, and is, the key question and it by now has been answered – and answered, I believe once and for all.

It is instructive to compare this case with other attempts in the post-war era to 'normalize' the repression of minority groups. Thus, for example, the South African state was much more successful in conducting its relations with the black majority through the forms of judicially-administered law, whereas Israel has never extended the rights and legal protections of its own citizens beyond its pre-1967 borders, except in the area it has annexed. Similarly, the apartheid regime's use of lethal force was highly discriminating, with the one exception of the Sharpeville massacre, which attracted enormous unfavourable publicity. (Barnes and Noble, p. 1096). It was, for people of my generation, an important element in our political formation, and no doubt in part accounts for my standing on this platform tonight. Yet on that day of infamy – March 21, 1960 – the total number of dead amounted to 69. But their deaths were captured on film. Since then, of course, the art of news management has grown immensely more sophisticated. The Israelis have gone to extreme lengths to avoid letting television cameras get anywhere near their lethal incursions in Palestinian cities, even shooting at potentially inconvenient camera crews. As far as television is

concerned, no picture means no story. Despite this, perhaps because news value is less driven by the availability of live footage, most people in Western Europe have become aware that many more Palestinians – nobody knows quite how many – have been killed by Israeli forces in the past twelve months, and they are appropriately outraged. To ascribe this to anti-Semitism is as absurd as to attribute the reaction to Sharpeville to anti-Dutch prejudice.

In many ways the most instructive comparison is, as Ian Lustick has proposed, with the failure of the French state to maintain Algeria as an integral part of France. As the war in Algiers became more brutal over time, an increasing number of French people became concerned that, in addition to its other human costs, it was having a coarsening and dehumanizing effect on the French themselves. It is heartening to see similar concerns being raised by Jews, both inside and outside Israel, even by such a cautious religious conservative as the Chief Rabbi of Britain, Jonathan Sacks.

The big difference between the two cases is, of course, the difference between the weaponry and space for manoeuvre available to the FLN and those at the disposal of the Palestinians. But the pattern of abuse is still familiar enough: Amnesty International's 'new report on war crimes in Jenin and Nablus denounces grave human rights violations by Israeli forces . . . Unlawful killings, the use of Palestinian civilians as human shields, the wanton destruction of hundreds of homes (sometimes with residents still inside), the blocking of

ambulances and the torture and ill-treatment of prisoners, are all documented in detail.' (Guardian)

As members of a university, we are entitled – and indeed obliged – to protest especially against the fate of the Palestinian universities, which have been virtually incapacitated by limitations on the movement of Palestinians of such severity that they make the Soviet Union and China seem liberal in comparison. As people whose main concern is the life of the mind, we also have a special stake in protesting at the systematic destruction of the offices and files of newspapers, magazines and broadcasting services. Not even the slightest colour of a pretext of security has been offered in defence of this. The only possible explanation is that it is motivated by the desire to undermine the very possibility of maintaining a viable Palestinian culture – a policy that in other contexts has been called cultural genocide.

To avoid any suspicion of ethnic or religious bias, let me quote what Britain's greatest and most far-sighted statesman, William Ewart Gladstone, said of another occupation in another century. 'Let the Turks now carry away their abuses in the only possible manner, namely by carrying off themselves . . . bag and baggage . . . from the province they have desolated and profaned.' (Oxford 107). Bag and baggage, settlement and settlers, withdrawal is not a benefit that Israel can provide or not at its own discretion. It is a moral, legal and political necessity. The only thing that need be negotiated is the mechanism for

transferring power, and that within a period to be measured in weeks rather than months. That is the only realistic form of 'peace process', because peace cannot be achieved on any other terms.

Both sides really know that, but strong international pressure will be essential as a catalyst to induce Israel to accept that much and the Palestinians to accept no more than that. In particular, I am afraid that, after Israeli politicians have spent the last fifty years figuring out how to maintain a precarious parliamentary system with a permanent Arab minority, there is no chance of their ever agreeing to any significant increase in the size of that minority. For better or worse, the right of states to control their borders is as much a building block of the existing international order as their duty not to extend them. Accepting the legitimacy of the Israeli state entails, in practice, accepting that it has such a right.

I have to confess that, less as a political philosopher than as a human being, I really cannot see how there can be two sides to this question. I therefore support anything that holds any prospect, however small, of hastening the obvious and ultimately inevitable solution to the conflict. Let this University at least not be a party to prolonging and further brutalizing it. We are entitled to ask the trustees not to invest funds in any way that can serve to do that.

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References (in order):

(Lustick) Ian Lustick, Unsettled States, Disputed Lands (Ithaca: Cornell University Press, 1993).

(Barnes and Noble). The Barnes and Noble Encyclopedia (New York: Barnes and Noble, 1993).

(Guardian) Letter from Richard Bunting, Guardian Nov 7, 2002, p. 25.

(Oxford), The Oxford Dictionary of Quotations (revised fourth edition, Oxford: Oxford University Press, 1996). Quotation from W.E. Gladstone, Bulgarian Horrors and the Question of the East (1876).