



DISCUSSION PAPER

Israel and the BDS Movement: Securitization and the Struggle for Influence

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Introduction

On July 19, Ben & Jerry's, a well-known ice cream company based in Vermont, United States, announced that it would stop selling ice cream in Israeli settlements located in occupied Palestinian territory. "We believe it is inconsistent with our values for Ben & Jerry's ice cream to be sold in the Occupied Palestinian Territory (OPT)," the company said (Ben & Jerry's 2021). They added that they would continue to operate in Israel proper, excluding the OPT, through a different arrangement. Since 2011, activists, particularly from the group Vermonters for a Just Peace in Palestine/Israel, have been leading a campaign calling on Ben & Jerry's to cut business ties with Israeli settlements (Hage, 2021). Thus, the statement of the company was welcomed by many Palestinian or pro-Palestine activist groups.

"This is an important victory & step forward. Since the Israeli state can't be separated from its apartheid & occupation, the work continues," tweeted the US Campaign for Palestinian Rights. "We applaud Ben & Jerry's decision to end business in the settlements. Israel a settler-colonial state from the river to the sea. We won't rest," said the Adalah Justice Project, another Palestinian advocacy organisation based in the US. On the other side, Israel's Foreign Minister Yair Lapid said the move was "a shameful surrender to anti-Semitism, to BDS and to all that is wrong with the anti-Israel and anti-Jewish discourse."

Boycotts have been a method of challenging Israel since the day it was founded. However, it gained prominence after efforts to materialise a two-state solution collapsed in the first decade of the 2000s. Calls for a boycott of Israel were centralised around the Boycott, Divestment and Sanctions (BDS) movement during this period, with calls becoming

louder as a result of the Israeli brutality against the Palestinians in the Gaza Strip during the war in 2008-2009. The movement became the focus of attention for pro-Palestinian intellectuals, such as Archbishop Desmond Tutu, Ilan Pappé, Richard Falk, Rashid Khalidi and Judith Butler on the one hand and the Israeli state and lobbies in the United States on the other.

As the battle for influence between the BDS movement and Israel escalates, how boycotting efforts force Israel to change its Palestine policy is a matter of discussion. This paper discusses the BDS movement's strategy and Israel's policies to counter the movement. It argues that Israel "securitises" BDS activities as an "existential threat" through expanding the definition of anti-Semitism. This strategy enables Israel to tighten its security measures in its Palestine policy and hence, leads to increased violations of human rights. Following a brief background of the BDS movement, Israel's efforts to counter the movement's influence, and the securitisation dilemma that subsequently emerges will be explored. In addition, how Israel implements a similar strategy towards other pro-Palestinian NGOs will be discussed.

What is BDS?

Although hopes for finding a two-state solution were high at the end of the 1990s, prospects for a “state-based” solution in the Israel-Palestine conflict dimmed after the failures of the Oslo and Camp David II peace process in the 2000s. Continued Israeli settlement activity in the West Bank has sped up the erosion of these processes. The eruption of the Second Intifada as a Palestinian response to these events also exposed the deterioration in Palestinian leadership in, with various political factions of the PLO, Hamas and Islamic Jihad competing against each other. The resulting power vacuum in the Palestinian political leadership led Palestinians and the Palestinian diaspora to resort to alternative solutions. Meanwhile, dozens of NGOs declared Israel as an apartheid state as a result of its discriminatory policies. These pro-Palestine NGOs adopted a boycott as a strategy against apartheid during the World Conference Against Racism in Durban, South Africa, in 2001, which further crystallised the civil society initiative to boycott Israel (Erakat, 2010).

The BDS movement was born under these circumstances in 2005, with a call signed by 170 Palestinian civil society organisations. Rather than prioritising an interstate solution to the conflict, the movement has a threefold strategy:

- Calling upon the international community to act against Israel through the boycott of Israeli goods
- Targeting corporations to make sure that their investments are not used in violation of Palestinian rights
- Educating people about Israel’s violations of international law.

As part of its campaign, the BDS movement targeted multinational corporations perceived to be supporting Israel’s occupation. Boycotted corporations include G4S, Motorola, Hewlett Packard, Puma, Orange, Caterpillar, and Unilever.

Inspired by the success of the anti-apartheid movement in South Africa, the BDS movement has three main goals: First, ending the Israeli occupation and colonisation of “all Arab lands” and dismantling the “colonial wall” that has been erected. Second, recognising the full equal rights of the Arab-Palestinian

citizens of Israel. Third, protecting and promoting the right of return of Palestinian refugees (Palestinian Civil Society Call for BDS, 2005).

The movement has a multi-layered approach in framing Israeli acts against Palestinians. First and foremost, Israel is defined as a settler-colonial/apartheid state (Makdisi 2008, 2011; Collins 2011; Butler 2013). In this regard, the supporters frequently refer to the apartheid experience in South Africa, using primarily a leftist and progressive discourse. Supporters of the movement argue that Israel is illegitimate because it was borne out of imperialist European settler colonialism at a time when the world was moving toward de-colonialization (Krikler 2019, 313).

The movement targets Israel’s legitimacy and frames Israel as a violator of international law and academic freedom. For example, Omar Barghouti, one of the movement’s co-founders, says that the BDS is “directed strictly against Israel as a colonial power that violates Palestinian rights and international law” (Barghouti 2011, 149). With this framing, BDS also aims to appeal to the liberal audience in the West, particularly within academia. It should be noted that debates on Israeli atrocities against the Palestinians took place on many American and British college and university campuses. This action took its momentum, especially after Hilary and Steven Rose, two British professors from Bradford and Open universities, respectively, became the first to issue an academic moratorium call against Israel in 2002.

Though it is not the first time Israel has been boycotted in the history of the Palestinian conflict, what makes the BDS movement different from its precedents is that it focuses on how to force Israel to change its policies. The campaigners assert that Israeli policies remain unchanged despite the fact that international institutions, including the United Nations (UN), classify Israel’s policies in the occupied territories as illegal and most Palestinians remain refugees and stateless on the territories where Israel was built (Sperber, 2015, 8).

The BDS movement has been criticised for its strategy and objectives. First, where the movement stands among Palestinian groups is a challenge that limits BDS from becoming a mainstream network within the broader Palestinian resistance. This is also related the



Pro-Palestine protesters stage a demonstration outside the Carnaby Street branch of sportswear brand Puma in London, England on September 18 2021. Protesters call for a boycott of company's products because of its sponsorship of the Israeli Football Association. (Tayfun Salci - Anadolu Agency)

civil society nature of the BDS movement. Even though many civil society organizations emerged among the Palestinians on both advocacy and service delivery since the 1970s (Sharaf, 2020), political parties and armed groups have continued to be at the forefront in the Palestinian resistance to Israel. On this matter, Noura Erakat claims that the lack of a representative mandate equivalent to that of the Palestinian Liberation Organisation creates confusion among solidarity groups in Palestine. "[...] the three rights-based demands enshrined in the BDS call are necessary but not sufficient for the achievement of national self-determination. In addition, they do not correspond to a particular political programme among Palestinians... [thus] BDS's major successes can only expand the call for rights; they cannot achieve Palestinian self-determination" (Erakat, 2012).

As a result of this lack of a specific political programme, a second issue is the movement's ambiguity regarding a *final* solution to the Israel/Palestine conflict. According to its website, the BDS movement "does not advocate for a particular solution to the conflict and does not call for either a 'one-state solution' or a 'two-state solution.' Instead, BDS focuses on the realisation of basic rights and the implementation of international law." (BDS,

2005). However, the 'rights first' approach leaves questions as to whether it can both ensure Palestinian rights and Israeli compliance with international law without a state-based solution (McMahon, 2014, 74). Despite the fact that the BDS movement has reiterated that it does not advocate for a state-based solution, supporters of the movement have at times indicated otherwise. Even founders of the movement, like Barghouti, have supported state-based solution calls such as the one-state solution call by Ali Abunimah in 2007 (Abunimah, 2007).

Such an 'agnostic' attitude on the part of the BDS movement on the question of Israel (Abunimah, 2012) has also provoked criticisms by pro-Palestinian Jewish intellectuals. Among them, Norman Finkelstein claims that the campaign is 'pointless' and says: "The problem is the goal [...] You can't reach a broad public if you are agnostic on the question of Israel. The broad public wants to know, where you stand. And if you claim not to have a stand you lose them" (Norman Finkelstein on the Role of BDS & Why Obama Doesn't Believe His Own Words on Israel-Palestine, 2012). Whether the movement's target is the Israeli occupation or the State of Israel itself is still a matter of debate.

Israel's Efforts to Counter BDS

Since the day it was established, the movement transformed the debate around the Israel-Palestine conflict and possible ways forward. Thus, Israel began to consider the BDS movement as a serious challenge and launched an anti-BDS campaign on local and international platforms. In July 2011, the Israeli parliament enacted a law that makes support of the boycott a civil injustice; namely, Israeli supporters of the boycott can be prosecuted and held liable for financial damages by boycott targets (Azulai, 2011). After revising the law in 2015,¹ Israel also enacted a law in 2017 that prohibits foreigners who support a boycott of Israel or its settlements from entering the country (Liebermann, 2017). As a result of this law, two US congresswomen, Rashida Tlaib and Ilhan Omar were denied entry in 2019 due to their support for BDS ("Israel Bars Ilhan Omar and Rashida Tlaib from Visiting," 2019). Furthermore, 35 American states, where pro-Israel networks are active, also enacted similar anti-BDS laws based on a claim that the movement is a form of "anti-Semitism" (CNN, 2019).

Israel also exerted efforts to counter BDS through civil society activities. For this purpose, the Ministry of Strategic Affairs and Public Diplomacy began operating in 2015 to support the counter-campaign against the movement (Ministry of Strategic Affairs and Public Diplomacy, 2015) and the cabinet approved allocating 128 million shekels (\$37 million) over three years to fund the initiative in 2017 (Landau, 2020). The Ministry funded Israeli media outlets to publish reports (Benzaquen, 2020) and organise anti-BDS themed conferences at the international level (Benzaquen et al., 2020). Similarly, it financially encouraged several NGOs to work for this objective. According to Haaretz, a liberal newspaper in Israel, the Foreign Ministry has faced a \$100m budgetary shortfall in recent years due to these funds being diverted to fight BDS (Landau, 2019).

For instance, Maala, a non-profit organisation promoting corporate social responsibility (CSR)² in Israel, began receiving funds from the Ministry in 2016. It was even named "an official representative of some

CSR super-networks" for organising international CSR have been accused of being anti-Semitic, based on a claim that anti-Zionism is a new form of anti-Semitism (Marcus, 2015). This accusation gained a more offensive characteristic after the International Holocaust Remembrance Alliance (IHRA) adopted this definition of anti-Semitism, which was widely accepted by Israeli officials and promoted worldwide since 2016. According to this definition, rhetorical and physical manifestations of anti-Semitism can include "the targeting of the state of Israel, conceived as a Jewish collectivity" (What Is Antisemitism?). With this equating of anti-Zionism with anti-Semitism, Israel portrays the BDS movement, a *civil society organisation*, as an "existential threat" that targets the legitimacy of the state.

Such an approach to the movement is also seen in the academic sphere. Numerous publications in Israeli journals argue that BDS is "dangerous because [it operates] under the guise of a quest for justice" (Fishman, 2012). Allegations also followed that it "promotes anti-Semitism through boycotting; legitimisation of terrorism through whitewashing" (Topor, 2021). Others have suggested the "inextricable linkage between its anti-Israeli/anti-Zionist propaganda and anti-Semitism" (Barnett, 2021). Through these arguments, Israeli academia aims to regain the narrative surrounding the Israel-Palestine conflict.



US Congresswoman Ilhan Omar speaks during a demonstration held by the Council on American-Islamic Relations (CAIR) on the one-year anniversary of the Supreme Court's decision about US President Donald Trump's travel ban for Muslims in front of the U.S. Capitol Building in Washington, United States on June 26, 2019. (Yasin Öztürk - Anadolu Agency)

¹ In 2015, the Israeli Supreme Court struck down the part of the law, which permitted the imposition of compensation payments even if no damages were proven. However, the remaining provisions of the law were upheld.

² Corporate Social Responsibility is a management concept whereby companies integrate social and environmental concerns in their business operations and interactions with their stakeholders. For more details, see also: <https://www.unido.org/our-focus/advancing-economic-competitiveness/competitive-trade-capacities-and-corporate-responsibility/corporate-social-responsibility-market-integration/what-csr>

Israel's Securitisation Dilemma

During a weekly cabinet meeting in 2015, then-Israeli Prime Minister Benjamin Netanyahu, speaking of the BDS movement, stated that: "We are in the midst of a great struggle being waged against the state of Israel, an international campaign to blacken its name. It is not connected to our actions; it is connected to our very existence" ("They Said We Drink the Blood of Children"—Netanyahu Goes off the Deep End after FIFA Campaign, 2015). On another occasion, in 2015 Sheldon Adelson, a Jewish-American casino magnate who had very close relations with Netanyahu, organised an emergency summit on BDS in Las Vegas. In that summit, Netanyahu said that the BDS threat is not about this or that Israeli policy, but rather about their "right to exist here as a free people" (PM Netanyahu Addresses Anti-BDS Summit in Las Vegas, 2015). In effect, the movement has been turned into a matter of 'ontological security' by Israeli officials.

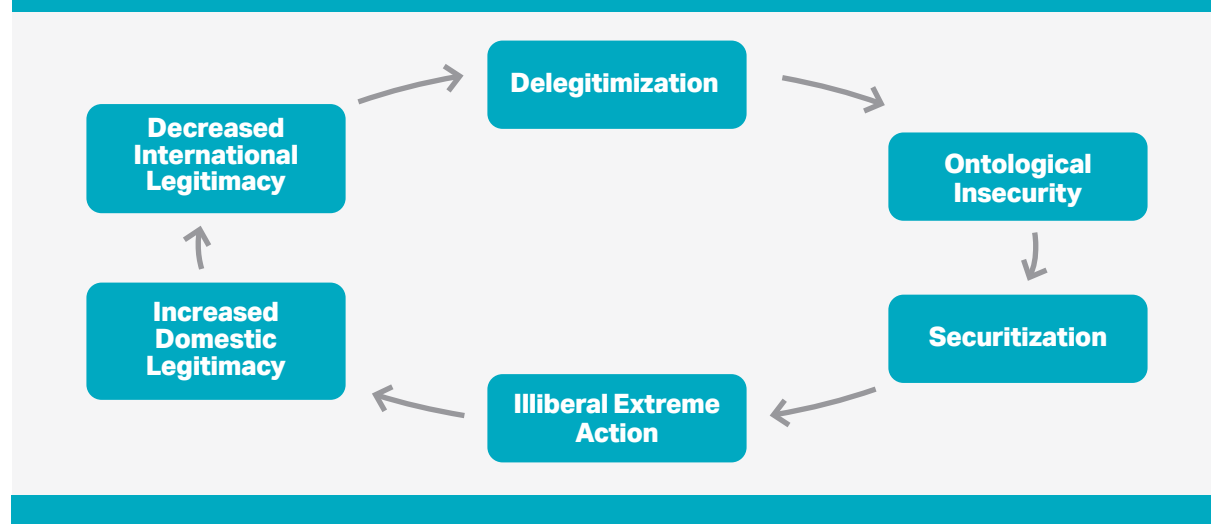
Here, a theoretical explanation of Israel's behaviour towards the BDS movement is necessary. This ontological security issue includes a threat to the self-identity of the state. Such threats can be mitigated through routines, and constant interactions with other states (Subotić, 2015; Lupovici, 2012; Mitzen, 2006), and whenever those routines are broken or disrupted, threats that can fundamentally undermine a state's ontological security resurface (Olesker, 2021, 20). This rising anxiety over the delegitimising component has triggered a policy of "securitisation." Along with

diplomatic and legal methods, this policy is mainly implemented through speech acts that allow the state to suspend normal politics and adopt extraordinary measures (Buzan et al., 1998). Thus, any form of delegitimization or opposition can be demonstrated as a security threat without considering the type of actor or action in question.

According to Olesker, Israel has adopted a securitisation strategy towards the BDS movement because it was perceived as threatening Israel's Jewish identity. Hence, Israel adopts extraordinary and illiberal measures against BDS that ultimately further undermines the state's international legitimacy, especially among liberal audiences in the West. This process generates a dilemma, "where actions are taken to enhance its security through increased legitimacy result in further delegitimization" (Olesker, 3).

This situation can be illustrated by Israel's behaviour towards the BDS movement. Through speech acts and a securitisation policy, Israel seeks to alleviate the negative impacts of the Palestinian conflict in the international area, particularly on the civil society front. However, this also increases the debate about the BDS. It has given good publicity to the BDS movement in the international arena. Such renown ultimately enables the movement to materialise more campaigns. As a result, a securitisation dilemma is manifested (Figure 1).

Figure 1: A Securitisation Dilemma: Israel vs BDS





Pro-Palestine protesters stage a demonstration outside the Carnaby Street branch of sportswear brand Puma in London, England on September 18 2021. Protesters call for a boycott of company's products because of its sponsorship of the Israeli Football Association. (Tayfun Salci - Anadolu Agency)

Crackdown on Palestinian Civil Society

For years, Israel has been cracking down against the Palestinian civil society network under the pretext of it being affiliated with terrorist organisations. This crackdown includes restrictions within the country as well as efforts to convince European and US officials to defund and discredit Palestinian NGOs. This crackdown escalated during the Netanyahu premiership, especially after the Gaza war in 2014. In 2015 and 2016, several UN employees were denied permits to the blockaded territory based on unclear "security reasons" (Carlstrom, 2016). In the same period, Im Tirtzu, a right-wing Israeli group that claims it has a mission to "advance the values of Zionism", released a video in which four activists in leading NGOs in Israel were targeted and called "planted agents" serving foreign interests (Reed, 2015).

The repression against Palestinian NGOs has increased this year and shifted into a new dimension by officially listing them as terrorist organisations and criminalising their activities under Israeli law. As a recent example of this policy, Israeli Defence Minister Benny Gantz announced on October 22, 2021, that six

Palestinian organisations were to be designated as "terrorist organisations." These organisations are Al-Haq, Addameer, Bisan Center, Defense for Children International-Palestine, the Union of Agricultural Work Committees, and the Union of Palestinian Women's Committees (Abraham, 2021). This designation was made due to alleged links between the groups and the Popular Front for the Liberation of Palestine (PFLP), a leftist political party that is listed as a terrorist organisation by Israel, the US, and the EU ("Foreign Terrorist Organizations"). Israel used testimonies and claims by Said Abdat and Amro Hamuda, two accountants who previously worked for another Palestinian NGO but were fired after being suspected of financial misconduct. During interrogations by the Israeli police and Shin Bet, Israel's domestic intelligence agency, the two Palestinians claimed that those six organizations were part of a network run by the PFLP and directed funds to the PFLP's armed activities. Subsequently, Israeli security officials sent a document to the Europeans, which is based almost entirely on Abdat's and Hamuda's testimonies and claims.

However, these allegations against the six groups reportedly did not contain “even a single concrete piece of evidence,” as the Dutch foreign minister and the Belgian economic development minister have stated (Abraham et al., 2021). In addition, several human rights groups, and international bodies, including Human Rights Watch, Amnesty International and B’Tselem, an Israeli human rights group, condemned the decision (Israel Outlaws Palestinian Human Rights Groups, Causing Backlash from Israeli, International Rights Organizations, 2021).

Israel is also trying to expand this strategy to include those who work for Palestinian NGOs. The staff of these organisations are victimised through travel bans, revocation of their residency status and even imprisonment. For example, Khitam Saafin, the chairwoman of the Union of Palestinian Women Committees, was arrested by Israel in 2020 and placed in administrative detention for six months (Administrative Detention of Woman Human Rights Defender Khitam Saafin | Front Line Defenders, 2020). A similar attempt was also witnessed in November 2021, in the case of Juana Rashmawi. A 63-year-old Spanish citizen, Rashmawi, worked as a fundraiser for the Union of Health Work Committees. This organisation was outlawed a year earlier due to its alleged association with the PFLP (AFP and TOI staff, 2021).

Following her agreeing to a plea bargain on November 10, Israel’s Defense and Foreign Ministries issued a joint announcement stating that the plea bargain proved that Gantz’s declaration was justified. As Haaretz reported, Israel is trying to utilize this plea bargain to justify its announcement about the previously mentioned six organisations (Shezaf, 2021). The Israeli

daily also revealed that the amended indictment, to which Rashmawi pleaded guilty, contains nine background paragraphs irrelevant to Rashmawi, telling the story of the six civil society organisations that were recently labelled as “terrorist organisations”, even though she did not work for these organisations (Lis & Shezaf, 2021).

With this policy, Israel aims to prevent funding for the Palestinian civil society network, particularly from the EU. Since 2007, many MKs, especially right-wing politicians, have proposed bills to tighten measures against Palestinian NGOs and the EU-led funds they receive. These efforts peaked in 2016 with a law that compels human rights groups that receive more than half their funding from abroad – including from European governments (Beaumont, 2016).

Moreover, the Israeli government also supports similar supervising efforts by other institutions. Among them, the NGO Monitor, led by Gerald Steinberg, a Bar-Ilan University professor, works at reaching out to foundations and states and presenting them with data that associates their support for NGOs with anti-Israel campaigns. Established in 2002, the institution states that one of its primary objectives in Europe is to significantly reduce the massive amount of government funding for Palestinian NGOs received directly from the EU. This includes the 28 EU member states, Norway, Switzerland, and indirect channels via European Christian aid frameworks (Jamal, 2018, 5). Even though Benjamin Netanyahu has been ousted, the Bennett-Lapid coalition, composed of Arab and leftist political parties, will maintain Netanyahu’s harsh approach.

Conclusion

This discussion paper has sought to portray how Israel approaches its crackdown on the BDS movement. Although problems have occasionally arisen, the movement has achieved considerable success and has transformed the debate among Palestinians regarding the best strategies to resist Israeli violations. Against the backdrop of the movement’s increasingly visible profile, Israel began to follow a securitisation strategy in which the movement is affiliated with anti-Semitic views and hence, accused of targeting the Jewish identity of Israel. Israel’s securitisation approach and harsh measures also create a dilemma by further harming its

international legitimacy and indirectly increasing the popularity of the movement and its campaigns. This crackdown is not limited to the BDS movement and has affected the Palestinian civil society network in a similar way. Israeli prosecutors have recently accused several NGOs and their staff of having links with terrorist organisations. Consequently, Israel will have the power to effectively cripple the activities of Palestinian civil society actors by choking off their financing. In the process, what little light remains for finding a solution to the conflict will surely be all but snuffed out.

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