

Resolving the Israeli-Palestinian Conflict

By Jeff Warner

Norman Finkelstein, the author of nine books including *Knowing Too Much, Why the American Jewish Romance With Israel is Coming to An End*, spoke in Los Angeles in April. During an extensive presentation followed by a Q & A in a church in Westwood, Finkelstein argued that there is now a “possibility” of resolving the Israeli-Palestinian conflict in the next few years, because over the past 20 years Israel’s status has fallen and it is now constrained from acting freely. He gave as an example the November 2012 Israeli bombardment of Gaza, which he said was far less deadly than the 2008-09 bombardment, partly because Turkey and Egypt, now more responsive to their people and more supportive of the Palestinians, pressured the United States to prevent Israel from launching a ground invasion. Another factor Finkelstein discussed is that over time as American Jewish liberals learn more about Israel’s actions, they give Israel less and less support.

Finkelstein warns that there is now a public ready to listen, but to capture that public there must be a unified goal, or solution to the conflict.

To seek a resolution to the Israeli-Palestinian conflict, to seek the unified solution that the public will follow, Finkelstein turned to Gandhi for guidance. His distillation of Gandhi’s thinking is that most people already know what is wrong, hence it is not a matter of informing them about injustice so much as it is getting them to act publicly—to protest and correct what they already know is wrong. He said that people become activated when they see suffering including death, and when they believe that the cause is just. On the question of resolving the Israeli-Palestinian stalemate, Finkelstein highlighted how vital it is to get people activated, for only massive, non-violent protests will grant the oppressed their freedom.

Clearly Finkelstein was influenced by the Salt Satyagraha (March) that Gandhi led in 1930. That incident is considered a turning point in the Indian independence movement. I believe that Finkelstein is absolutely correct that for the Palestinians to gain their freedom they have to demand it with massive, continuous, non-violent protests, and the Palestinians must be prepared to suffer beatings, jail, and for some, even death. But as Finkelstein predicted, there will be far fewer deaths than in another Gaza bombardment similar to the one that occurred in 2008-09.

Following Gandhi, Finkelstein said the leader of a mass movement must find what that public believes to be correct and position him/herself at that point, and make that point the goal of the movement. Finkelstein said that if a movement’s goals are beyond what the people are ready to accept, the movement will fail for lack of popular support.

He points out that to resolve the Israel-Palestine conflict, the point of public acceptance is unambiguously and non-controversially defined by international law and human rights principles as:

- A Palestinian state alongside Israel based on the June 1967 boundaries.

- Including East Jerusalem.
- Israel withdrawal from all settlements noting that all are illegal.
- Just solution to the refugee issue.

Finkelstein justified these points by describing United Nations General Assembly resolution that receive lopsided votes like 165 to 6; the 2004 advisory opinion of the International Court of Justice (ICJ), and the reports and pronouncements of the major human rights groups like Amnesty International and Human Rights Watch.

Finkelstein closed by noting that 2014 will be the ten-year anniversary of the ICJ opinion that ruled the wall illegal and ordered Israel to remove it, and the international community to do so if Israel did not. He suggested that since the wall remains, the Palestinians organize a massive demonstration where tens or hundreds of thousands of Palestinians approach the wall holding a hammer in one hand and a copy of the ICJ ruling in the other, and offer to tear it down.

Boycott vs. the BDS Movement

In his talk and during the Q & A, Finkelstein clarified why he supports the methodology of boycott but is opposed to the BDS movement. Boycott, including divestment, is a non-violent method to send a message of disapproval of the Israeli occupation and Israel dispossession of Palestinians. Finkelstein supports boycott actions.

Finkelstein notes the BDS movement is more than just a collection of boycott actions. According to its official website, the BDS Movement calls for non-violent boycott actions to continue

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 194.¹

Finkelstein has a problem with this call because it says it is based on international law, which recognizes Israel as a state, yet the call says nothing about Israel. Finkelstein says you cannot take only those parts of international law that you like, you have to take the whole thing and that includes Israel. Finkelstein suggests that the BDS Movement wants to displace Israel. If that is the case the BDS Movement will never attract a mass following because elimination of Israel is beyond international law and will not be accepted by the general public.

¹ <http://www.bdsmovement.net/call>

Finkelstein says that if the BDS Movement refuses to explicitly accept Israel, then they are just talking to themselves. He then offends many people by saying that the BDS Movement is a cult because it is only talking to itself and not aiming to attract a mass following.

How Finkelstein Uses International Law

One criticism of Finkelstein's talk is that by focusing on international and human rights law he is being unrealistic. Critics say that law does not make the world go around – power does, and powerful states like the U.S. and Israel routinely ignore international and human rights law.

True enough. But Finkelstein does not claim that states will change their behavior based on international law, so that criticism is invalid.

Finkelstein uses international and human rights law as a guide to devise a resolution of the Israeli-Palestinian conflict that a mass movement can and will rally around. He says that international and human rights law mark the most progressive position that the general public will accept.