



Canadian Institute for Jewish Research
Prof. Frederick Krantz, Director

ISRANET DAILY BRIEFING

cijr@isranet.org www.isranet.org 514-486-5544

Tuesday Jan. 28, 2014 Volume XI, No. 3,232 Yom Shlishi, 27 Shevat 5774

P.O. Box 175 • Station H Montreal • Quebec • H3G 2K7 514-486-5544 cijr@isranet.org www.isranet.org

BDS B.S.

UNDERLYING ANTISEMITISM OF ACADEMIC BOYCOTTS IS CLEAR— A CONCERTED POLITICAL & LEGAL COUNTER-OFFENSIVE IS IN ORDER

Contents:

Academic Boycott Event at UC Riverside: [Tammi Rossman-Benjamin, Jan. 13, 2014](#)—Dear Chancellor Wilcox, We are writing to you regarding an antisemitic event about to occur on your campus.

MLA Resolution: What's it all About?: [Michael C. Kotzin, Juf News, Jan. 17, 2014](#)— On Jan. 11, the Delegate Assembly of the Modern Language Association (MLA) meeting in Chicago voted 60 to 53 to support a resolution which urged the U.S. State Department “to contest Israel’s denial of entry to the West Bank by U.S. academics who have been invited to teach, confer, or do research at Palestinian universities.”

Winning the BDS Battle: [Dr. Jonathan Rynhold, Besa Center, Jan. 5, 2014](#)— The recent Association of American Studies (ASA) boycott of Israel is the latest chapter of a general campaign of boycott, divestment, and sanctions (BDS) against the State of Israel.

Countering Illegal Boycotts of Israel: [Richard D. Heideman, Washington Times, Jan. 17, 2014](#)— Educational, corporate and political organizations have stepped up efforts to isolate Israel through academic discrimination and economic blacklisting. Wrongly, organizations funded either directly or indirectly by U.S. taxpayers are advocating these boycotts.

On Topic Links

Scarlett Johansson Rejects Criticism of Her SodaStream Role: [Debra Kamin, Times of Israel, Jan. 25, 2014](#)

Let the BDS Movement Be a Warning: [Dr. Ellen Wald, Frontpage, Jan. 23, 2014](#)

The MLA: How to Promote a Faltering Field by Attacking Israel: [Peggy Shapiro, Jerusalem Post, Jan. 21, 2014](#)

Open Letter To NYU's President: Why The American Studies Assn.'s Israel Boycott Makes Me Ashamed To Be An Alumnus: [Richard Behar, Forbes, Jan. 14, 2014](#)

ACADEMIC BOYCOTT EVENT AT UC RIVERSIDE

Tammi Rossman-Benjamin

Jan. 13, 2014

Dear Chancellor Wilcox,

We are writing to you regarding an antisemitic event about to occur on your campus. Although sponsored by two UC Riverside academic units, this event will not be a legitimate expression of academic freedom but rather a violation of it, as consistent with recent public statements by UC President Janet Napolitano, the American Association of University Professors, the American Association of Universities, and more than 180 University leaders across the country.

It has recently been brought to our attention that the UCR College of Humanities and Social Sciences (CHASS) and Ethnic Studies Department are co-sponsoring a talk by Omar Barghouti entitled "Palestine's South Africa moment: relative justice, not relative humans," scheduled to take place this Tuesday, January

14, on your campus. According to an email announcing the talk sent to the CHASS faculty and staff, student attendance at the event can be used for official course credit...

Although Omar Barghouti's talk is being sponsored by an academic division and department, and students can fulfill course credit for attending it, Barghouti himself is neither a university professor nor an academic. So why is Omar Barghouti being brought to speak at UCR? For one reason alone: his politics. Omar Barghouti is the most well-known and outspoken founder of the Palestinian Campaign for the Academic and Cultural Boycott of Israel, the campaign from which all other academic boycotts of Israel derive, including the recent boycott of Israeli universities and scholars by the American Studies Association (ASA) and the resolution currently under consideration by the Modern Language Association (MLA).

It is important to point out that the sponsoring academic units -- CHASS and the Ethnic Studies Department -- have several faculty members who have publicly endorsed an academic boycott of Israel. Indeed, of the eleven current UCR faculty members who have publicly endorsed the academic boycott of Israel, all but one are CHASS faculty...nine of the eleven (82%) UCR faculty members endorsing the academic boycott of Israel are members of, or cooperating faculty in the Ethnic Studies Department. (Astonishingly, one-third of the UCR Ethnic Studies Department's active faculty members, including the department chair, have publicly endorsed the academic boycott of Israel). Furthermore, two UCR faculty members -- Feras Abou Galala and David Lloyd -- are founding members of the U.S. Campaign for the Academic Boycott of Israel, and David Lloyd is also an organizer of the recent American Studies Association's academic boycott of Israel and a promoter of the boycott at the MLA convention last week.

It is abundantly clear that Omar Barghouti has been invited to UCR in order to promote the academic boycott of Israel, by UCR faculty who themselves seek to promote the academic boycott of Israel. As you know, ASA's boycott of Israeli universities and scholars has been roundly condemned by UC President Janet Napolitano, several academic associations including AAUP and AAU, and more than 180 other university leaders across the country, who have deemed the academic boycott of Israel a violation of academic freedom and antithetical to the very mission of the university. Moreover, by singling out only one country in the world—Israel—for censure and abuse, while ignoring entrenched human rights abuses that are rampant throughout the Middle East, the movement exposes its antisemitic nature. Therefore, it is inappropriate, and indeed a violation of both university policy and state law, for CHASS and Ethnic Studies faculty to use the name and resources of the University of California to promote an antisemitic boycott of Israeli universities and scholars. We call on you to withdraw the university's sponsorship of the upcoming lecture by Omar Barghouti.

[Contents](#)

MLA RESOLUTION: WHAT'S IT ALL ABOUT?

Michael C. Kotzin

[Juf News](#), Jan. 17, 2014

On Jan. 11, the Delegate Assembly of the Modern Language Association (MLA) meeting in Chicago voted 60 to 53 to support a resolution which urged the U.S. State Department “to contest Israel’s denial of entry to the West Bank by U.S. academics who have been invited to teach, confer, or do research at Palestinian universities.” To become adopted by the organization as a whole, the resolution will next have to be approved by the MLA’s Executive Council, scheduled to meet in late February, and if it passes it would face a vote of the total membership. While the resolution passed by the MLA’s Delegate Assembly thus has yet to be adopted, it still is a matter of concern and merits scrutiny. A useful way to approach it would be to apply a variation on the analytic terms first developed by medieval Kabbalists for reading the Torah – starkly different though the nature of these texts may be.

This approach proceeds by considering four levels of meaning, the first of which deals with the literal meaning of the text. Looked at on its face, the resolution thus is simply calling for certain State Department action. This reading is in tune with the claim made by one of the drafters of the resolution in opening the discussion at the MLA session where it was voted on, who asserted that the resolution should be taken only in the narrow sense of coming to the support of fellow academics. But looked at only in this way, the resolution has hardly any value. It is hard to imagine the State Department truly “contesting” Israel’s application of its security policies regarding academic visitors – especially because, as research done by a newly formed group called MLA Members for Scholars’ Rights showed, the proponents of the resolution could identify only one person who might have faced the problem, which is cited as the purported basis of the resolution.

Looking then for other meanings to this resolution, we can next see it as a symbolic statement of solidarity with the Palestinian people, whom the drafters and supporters of the resolution clearly regard as an oppressed people. If the resolution is seen this way, what matters is not what it calls for directly but how it could be taken by the Palestinians. Their sense of grievance and victimhood was validated by the language of the resolution’s backers, who repeatedly spoke about Israel’s “racist” system and “apartheid” regime when they took the floor at the MLA meeting. Given that approach, this resolution and other statements like it can be seen as perpetuating the situation the Palestinians currently face, ultimately hardening both sides of the Israel-Palestinian conflict instead of advancing reconciliation and hastening the coming of the day when the Palestinians could have self-determination in a state of their own next to the state of Israel.

Moving on to the third level of meaning, the resolution can be seen as advancing a narrative which, as supporters of the resolution demonstrated, sees Israel as being a racist country practicing apartheid and using chemical weapons. As we dig deeper and get closer to the true meaning behind a resolution like this, we recognize that the rhetoric of its supporters is the rhetoric of the delegitimizers of Israel, of those who would marginalize the state for what they portray as its gross violations of human rights. This resolution may not go as far as the one passed by the members of the American Studies Association, whose right to call for an academic boycott was defended in an “emergency resolution” that failed to achieve consideration by the MLA. But the resolution’s defenders talked about Israel with the same animosity as do the boycotters. The hostility of one speaker after another at the MLA session was tangible.

And this brings us to the resolution’s deepest, fourth level of meaning, to what Cary Nelson, Professor of English at the University of Illinois at Urbana-Champaign, calls “the elephant in the room.” That is anti-Semitism. Those of us who talk about these matters need to use the anti-Semitism charge with care – both because its seriousness needs to be respected and also because, in attempting to pre-empt consideration of this issue, Israel’s enemies are always quick to claim that Israel’s friends use the term indiscriminately when talking about any critic of any of Israel’s policies or actions. Though one of the supporters of the resolution at the MLA meeting attacked what he called the “rhetorical ploys” and “suppressive rhetoric” of Israel’s supporters, it is in fact the enemies of Israel who try to suppress exposure of the anti-Semitism that often suffuses their own rhetoric and approach. Thus, though we should be careful about using the term anti-Semitism, when anti-Semitic concepts can be identified within the verbal attacks on Israel, it is far from improper to point that out. So when one of the supporters of the resolution who took the floor during the Delegate Assembly meeting talked about financial contributions to political candidates in America by a “pro-Israel lobby,” which, he implied, corrupt American foreign policy, the anti-Semitic reverberations were surely there...

[To Read The Full Article Click the [Link—ed.](#)]

WINNING THE BDS BATTLE

Dr. Jonathan Rynhold

[Besa Center](#), Jan. 5, 2014

The recent Association of American Studies (ASA) boycott of Israel is the latest chapter of a general campaign of boycott, divestment, and sanctions (BDS) against the State of Israel. In examining BDS there are three key questions one needs to answer: Who and what is behind this? What is the extent of the threat? And how should Israel respond? The hardcore elements behind this campaign hail from the radical Left and are anti-Zionist – that is, they oppose the existence of Israel as a Jewish and democratic state. The good news is that the overwhelming majority of the public in the West oppose this position. The bad news is that the BDS hardcore recognizes this and focuses publicly on the issue of settlements and the “disproportionate” use of force by Israel in order to broaden their support. Indeed, they have had some success in this regard, as the consensus in the West feels that settlements are wrong or at least counterproductive.

One should not exaggerate the significance of the ASA boycott. The American public’s support for Israel over the Palestinians is overwhelming and despite their criticism of settlements, more American liberals sympathize with Israel than with the Palestinians. With the exception of the mainline Protestant Church in America, the real battlefield for BDS is in Western Europe; right now none of the boycotts have had much practical effect. However, it would be grossly misleading to take this as a sign that all is well, because the goal of society-led BDS is to create a hostile political environment; the material consequences are secondary. The struggle is over political legitimacy and symbolism. BDS is not going to bring Israel to its knees, but it has the potential to inflict substantial diplomatic, economic, and even military damage on Israel over time. If the current peace talks collapse, the Palestinians will seek to impose sanctions against Israel at the UN and in other international bodies. In addition, they will seek to have Israeli army officers tried at the International Criminal Court, a threat which could have negative consequences for Israeli deterrence. Society-based boycott initiatives play into this strategy by allowing the Palestinians to claim that there is widespread support for sanctions among Western publics.

How should Israel and its friends abroad respond to this threat? First, it is critical to divide up the responsibility appropriately. Government institutions should lead the interaction with foreign governments and international organizations like the UN. There are many things foreign governments can do to disincentivize society-led BDS, and the Israeli government is best placed to make the case. Indeed, it is already doing this. In terms of political symbolism, the government needs to remember two things. First, especially if the peace process collapses again, it is very important that Israel be viewed as willing in principle to agree to a two-state solution involving extensive territorial concessions in exchange for peace and security. Concern about BDS should not trump Israel’s vital and legitimate interests on issues such as refugees and security. However, pointing out Palestinian extremism or recalcitrance will not suffice to deflect BDS, as the retort will simply be that pressure is needed on both sides. Without Israeli credibility on this score, BDS has the potential to move from the leftist periphery to the liberal mainstream and beyond.

Second, a major bulwark against BDS is the fact that Israel is a democracy, not simply in terms of voting and majority rule, but also in terms of liberal rights such as freedom of speech and freedom of association. This is the critical point for most of those who support Israel in the West and it is a major weapon in the symbolic struggle over BDS. Therefore, attempts to combat BDS by passing laws that are seen to significantly curtail those democratic freedoms are entirely counterproductive. The latest initiative in this vein is a government-approved bill to restrict funding to NGOs that support BDS, which is opposed by the Attorney-General on the grounds that it will have a chilling effect on free speech. Such anti-Zionist NGOs need to be combatted, but this must occur within the context of democratic norms. Making such NGOs suffer by imposing financial penalties is populism that will boomerang and erode the resonance of Israel’s

most important asset in the war over political symbolism. The supposed remedy will inflict more damage than the disease itself.

In terms of dealing with society-led BDS abroad, the lead must come from Israeli society and Israel's friends in the West. The government should facilitate and cooperate, but not lead. For Israel to directly enter a fight with various pro-boycott organizations abroad simply raises their status. It will be viewed as inappropriate even by members of those organizations who oppose BDS. Israeli academics, trade unionists, and religious leaders should engage their foreign counterparts. In order to be listened to and have the required legitimacy and standing to act, it is critical to have the appropriate partner. In addition, it is crucial to recognize that local activists opposed to BDS are best placed to take the lead, since they know the environment best and have the appropriate standing. They also have the advantage of not being bound to defend every policy of the Israeli government. Being able to differentiate between the legitimacy of the State of Israel and the policy of this or that Israeli government is critical to ensuring widespread disdain for BDS. It is the government's job to defend its policy; it is therefore unsuitable for the government to take the lead. Taking the lead will play into the boycotters' hands by allowing them to make Israeli policy the main issue, about which Israelis and Israel's supporters are often divided.

Since this division of labor was put in place by Israel and Jewish Diaspora organizations, the tide of BDS which rose significantly from 2005-2009 has been held back. However, there is now talk of creating a new governmental body to deal with BDS. This would be a mistake. It would shift the strategy from one based on the premise that "it takes a network to fight a network" to one based on the directives of Israeli politicians whose political priorities lie elsewhere. Witness reports of the Knesset committee discussion on the issue, where Right and Left vied to impose their ideological stamp on the issue. If the anti-BDS cause is blurred and subjugated to other concerns, and the means deployed to combat it are inappropriate and heavy-handed, things will go from bad to worse. If, however, the focus is the legitimacy of Israel itself, and the means employed to combat BDS are appropriate and sophisticated, then Israel is well positioned to defeat BDS efforts.

[Contents](#)

COUNTERING ILLEGAL BOYCOTTS OF ISRAEL

Richard D. Heideman

[Washington Times](#), Jan. 17, 2014

Educational, corporate and political organizations have stepped up efforts to isolate Israel through academic discrimination and economic blacklisting. Wrongly, organizations funded either directly or indirectly by U.S. taxpayers are advocating these boycotts... At their recent conference in Chicago, the Modern Language Association debated the issue of boycotting Israel, reportedly narrowly defeating a resolution calling for a boycott, but adopting a resolution condemning Israel. A panel on Jan. 9 consisted of four panelists and a moderator all supportive of the boycott, divestment and sanctions movement against the state of Israel. One of the panel's "experts," Omar Barghouti, is a founding committee member of the Palestinian Campaign for the Academic and Cultural Boycott of Israel and currently studies at Tel Aviv University in Israel. Mr. Barghouti once infamously wrote in the *Electronic Intifada* on Jan. 6, 2004, "We are witnessing the rapid demise of Zionism, and nothing can be done to save it . I, for one, support euthanasia."

Boycott methodology was instituted immediately after the 1948 establishment of Israel in hopes of starving the nation of economic sustenance and her legitimate right to exist and to grow as a nation-state of the world. Previously, Congress enacted two pieces of legislation to discourage U.S. entities from participating in illegal boycotts against Israel or other countries. A 1977 amendment to the Export Administration Act of 1969 instituted criminal and civil penalties for such participation, and an amendment to the Tax Reform Act

of 1976 instituted tax penalties for participation in illegal boycotts. Both were partially successful, and congressional intervention is needed now.

Outrageously, the federal government essentially subsidizes these academic boycotts by granting tax-exempt status for many organizations endorsing and encouraging the boycotts. For example, American Studies Association membership includes 2,200 colleges, universities, museums, foundations, societies and other institutions — many of which are tax-exempt — and their revenues often come from tax-deductible contributions. Actions should be taken to highlight — and preclude — charitable organizations from using tax-supported dollars or contributions to engage in illegal conduct. Economic boycotts of Israel by U.S. companies are also ongoing. In July 2010, a food cooperative with two locations in Olympia, Wash., voted to become the first grocery store in the United States to ban all Israeli-made items from its shelves. Just last month, the office-supply store Staples reportedly announced plans to cease sales of the popular new SodaStream products because the company’s manufacturing facility is located in Israel’s ancient Judea-Samaria area.

An important Supreme Court case shows how Congress should address this issue. In 1970, the Internal Revenue Service informed Bob Jones University, a private religious university, that its tax-exempt status would be revoked owing to its racially discriminatory policies. The Supreme Court ruled that the First Amendment’s religious-liberty guarantee does not prohibit the Internal Revenue Service (IRS) from revoking the tax-exempt status of an educational institution with practices contrary to a compelling state interest. Congress can instruct the IRS to revoke the tax-exempt status of institutions endorsing any Israeli boycott. Although some may argue such action would violate First Amendment “free-speech” rights, Supreme Court precedent clearly shows the First Amendment does not preclude the United States government from taking away tax-exempt status if a “compelling state interest” exists in so doing. Because academic boycotts are contrary to U.S. foreign-policy interests and, in effect, promote hatred and racism, a compelling state interest exists in acting to stop these anti-Israel boycotts by denying tax-exempt status to boycott proponents. In addition, Congress should create a private cause of action under the Export Administration Act for businesses directly impacted by an unsanctioned boycott. The federal government possesses the power to levy monetary damages in the form of fines against companies that comply with demands by boycott proponents, and the government should do so. The Export Administration Act should be amended to allow private parties harmed by boycotts to pursue punitive and compensatory damages in U.S. courts against the responsible party. It’s time to put a stop to taxpayer subsidization of boycott advocates, and it’s time to allow victims of these boycotts to pursue justice in a court of law. Illegal boycotts cannot be countenanced and must be stopped, and the offending companies and organizations must be held legally accountable.

[Contents](#)

ON TOPIC

[Scarlett Johansson Rejects Criticism of Her SodaStream Role](#): [Debra Kamin, *Times of Israel*, Jan. 25, 2014](#) — American actress Scarlett Johansson released a statement Friday about the controversy surrounding her role as the first-ever brand ambassador of the Israeli company SodaStream, describing the firm as “building a bridge to peace between Israel and Palestine.”

[Let the BDS Movement Be a Warning](#): [Dr. Ellen Wald, *Frontpage*, Jan. 23, 2014](#) — Last year, a tiny academic organization, the Association for Asian American Studies, voted in favor of a resolution to boycott Israeli academic institutions.

[The MLA: How to Promote a Faltering Field by Attacking Israel](#): [Peggy Shapiro, *Jerusalem Post*, Jan. 21, 2014](#) — The Delegate Session of the Modern Language Association began with an hour-long session on the perils of falling enrollment in the MLA and reduced support for the humanities in general.

[Open Letter To NYU's President: Why The American Studies Assn.'s Israel Boycott Makes Me Ashamed To Be An Alumnus](#): [Richard Behar, *Forbes*, Jan. 14, 2014](#) — Dear NYU President John Sexton, I’m a journalism graduate of New York University.