

Free Speech? Not for critics of Israel

Avi Shlaim argues that when it comes to debates concerning Israel, free speech has become stifled in British academia.



As a member of the British academic community, I find it distressing that some of the more dismal aspects of the American academic environment seem to be coming our way. Nowhere is this more pronounced than on the question of Israel. That country is no stranger to controversy, but the attack on the rights of academics to criticise Israel is a relatively recent phenomenon. Another feature of the American academic scene which is rearing its ugly head on our shores is character assassination of opponents instead of engagement with their arguments.

Israel is often portrayed by its supporters as an island of democracy in a sea of authoritarianism. But these very same supporters, in their excessive zeal for their cause, sometimes end up violating one of the most fundamental democratic principles — the right to free speech. While accepting free speech as a universal value, all too often they try to restrict it when it comes to Israel and its treatment of the Palestinians. The result is to stifle debate.

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Defenders of Israel often accuse those critical of the Jewish state of a lack of balance. But the insistence on balance in relation to an unbalanced international actor like Israel raises more questions than it answers. Israel's policies towards the Arabs can hardly be described as balanced. The central theme of my book *The Iron Wall* is that Israel, throughout its history, too readily resorted to military force, and has been unwilling to engage in meaningful diplomacy. Cruelty towards civilians is another unjustified feature of Israeli policy.

Israel's current siege of Gaza is a case in point. It involves severe restrictions of food, fuel, and medical supplies to its 1.5 million inhabitants. The aim is to starve the people of Gaza into submission. This is presented to the world as an act of self-defence against the Kassam rocket attacks from Gaza on the residents of Sderot. But rockets attacks on innocent Israeli civilians, however immoral and infuriating, do not justify the official targeting of civilians. Israel's measures are a form of collective punishment which is unlawful under the Fourth Geneva Convention; they are causing a humanitarian catastrophe, and are completely counter-productive. If Israel wants a ceasefire in Gaza, the only way to get it is through negotiations with Hamas, the democratically elected representatives of the Palestinian people.

The majority of British Jews share the British tradition of civilised debate on all subjects, including Israel. There are differences of opinion among them, but the debate is mostly conducted responsibly. Moreover, it is widely accepted that criticism of Israel does not necessarily involve disloyalty to Jews in general or to the values of Judaism. Independent Jewish Voices and Jews for Justice for Palestinians, for example, succeed in combining a critical position on Israel with a strong Jewish identity. Chief Rabbi Jonathan Sacks is another notable example of this fair-minded, liberal and pluralistic tradition. He knows better than most that among the most fundamental values of Judaism are truth and justice, and that Israel's record in this respect leaves something to [be desired](#). Sir Jonathan is also a great believer in inter-faith dialogue. One of his 16 books is called *The Dignity of Difference: How to Avoid the Clash of Civilisations*.

But on the other side of the Atlantic, public debate about Israel is much more fierce and partisan, leaving relatively little space for the dignity of difference. The passion with which many prominent American Jews defend Israel betrays an atavistic attitude that is often blind to other points of view.

One example is Alan Dershowitz, Harvard law professor and crusader on behalf of Israel. One of his books is called *The Case for Israel*. This is not an objective, academic treatise but a lawyer's brief for his client. This particular lawyer is no friend of free speech when it comes to criticism of Israel, however well-substantiated.

Yet events in 2008 in Oxford suggest that those of us who thought that attempts to stifle free debate about Israel are confined to American campuses need to think again. The Oxford Union prides itself of being a bastion of free speech. The Union however failed to live up to its lofty ideals when a debate was scheduled in October 2008 on the motion "This house believes that one-state is the only solution to the Israel-Palestine conflict". Professor Ilan Pappé, Dr Ghada Karmi, and I

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agreed to speak for the motion.

I have always been a supporter of the two-state solution, but I planned to argue that since Israel is systematically destroying the basis for a genuine two-state solution by its expansion of Jewish settlements, the one-state is fast becoming a reality. I wanted to expose the contradiction between Israel's acceptance of a two-state solution at the rhetorical level and its ongoing territorial expansionism. These nuances were lost in the media reports that surrounded the collapse of the debate.

Norman Finkelstein, an American-Jewish academic; Lord Trimble, a Northern Irish politician; and Peter Tatchell, a gay-rights activist, were to speak against the motion. In the end, the debate took place without any of the scheduled speakers after an acrimonious American-style row over the panel's makeup. Various friends of Israel had complained to Luke Tryl, then president of the Oxford Union, that the debate was "unbalanced" because it included Professor Finkelstein, a well-known critic of Israel, on the 'pro-Israel' side. What they failed to grasp, or chose to ignore, was that the motion was not for or against Israel but about alternative solutions to the Israeli-Palestinian conflict.

Alan Dershowitz was the most aggressive of the protesters. He had been invited to speak, but said he would participate only if he could dictate the motion and approve the other speakers, conditions which were rejected. Nevertheless, Dershowitz wrote to Tryl complaining that it was outrageous for the Union to give Finkelstein a platform, and later called Finkelstein "an antisemitic bigot".

Four days before the debate, Tryl abruptly revoked the invitation to Finkelstein. My colleagues and I then withdrew in protest against the shabby treatment of an academic colleague and the violation of the principle of free speech.

Finkelstein's career illustrates the venom with which the debate about Israel is conducted in America. Finkelstein is one of the most hard-hitting critics of the official Zionist version of the Arab-Israeli conflict. But while he uncompromisingly rejects the Zionist colonial project beyond the Green Line, he fully accepts Israel's legitimacy within its pre-1967 borders. His position is coherent and consistent.

Finkelstein specialises in exposing spurious American-Jewish scholarship on the Arab-Israeli conflict. He established his credentials when he was still a doctoral student at Princeton with a savage review article of Joan Peters's *From Time Immemorial*. Her influential book set out to prove the Zionist claim that Palestine was "a land without a people for a people without a land". Finkelstein demonstrated conclusively that the book was worthless.

In 2005, Finkelstein published a book entitled *Beyond Chutzpah: On the Misuse of Anti-Semitism and the Abuse of History*. This is a frontal attack on works by American Jews about Israel that are written in the vein of "my country right or wrong", except that they rarely admit any wrong.

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Finkelstein highlights the biases, distortions, misquotations, selective use of evidence, and, in some cases, downright dishonesty of the authors. As the subtitle indicates, he places particular emphasis on the use of the Holocaust and of antisemitism to confer upon Israel moral immunity against criticism.

Above all, the book is a devastating indictment of Dershowitz. The most serious charge, denied by Dershowitz, is that Dershowitz plagiarised from Joan Peters, of all people. Finkelstein included an appendix which claims that 22 out of the 52 quotations and endnotes in chapters 1 and 2 of *The Case for Israel* match almost exactly those in *From Time Immemorial*.

Dershowitz's false claims in the rest of the book are nailed down systematically. The main bone of contention is Israel's record in relation to Palestinian human rights. In assembling the case against Dershowitz, Finkelstein perused thousands of pages of human-rights reports on Israel over a two-decade period and juxtaposes them with Dershowitz's claims. By the time Finkelstein had finished, very little is left of the case Dershowitz had constructed.

Beyond Chutzpah is not about the Arab-Israeli conflict per se; it is part of the debate in the American-Jewish community about Israel. It is a brave and highly disturbing study of the lengths to which some American Jews would go to justify Israel's human-rights abuses. Readers of this newspaper may find Norman Finkelstein's style provocative and his views unpalatable, but the basic issue here is one of academic freedom and of academic standards.

I was one of several readers who recommended *Beyond Chutzpah* for publication to the University of California Press. The press consulted an unusually large number of independent experts on the merits of this manuscript because it was bombarded by threats of lawsuits for libel from Professor Dershowitz and his lawyers. When the press stood firm, Dershowitz appealed to Arnold Schwarznegger, the Governor of California, to intervene. In December 2004, the professor wrote to the governor: "I know that you will be interested in trying to prevent an impending scandal involving the decision by the University of California Press to publish a viciously antisemitic book by an author whose main audience consists of neo-Nazis in Germany and Austria. The book to which this is a sequel was characterised by two imminent [sic] historians as a modern-day version of the notorious czarist forgery *The Protocols of the Elders of Zion*... If you can do anything to help prevent this impending tragedy, I know that many of your constituents would be very pleased."

Governor Schwarznegger declined to intervene on the grounds that this case involved an issue of academic freedom. The Governor apparently understood something that the learned professor did not.

The campaign against Finkelstein reached a crescendo when he was under consideration for tenure at DePaul University in Chicago last year. Assistant Professor Finkelstein had an excellent record as a publishing scholar, as a lecturer, and as a teacher as well as the support of the Political Science department. But illegitimate outside pressure evidently contributed to the decision to deny

tenure. Alan Dershowitz personally intervened in this process, compiling a 60-page dossier against the candidate and sent it to every faculty member at the university.

The sorry saga of the Oxford Union debate and the Finkelstein affair are symptomatic of another phenomenon: the propagandistic ploy of equating anti-Zionism with antisemitism. Here America is in a league of its own, with institutions such as Campus Watch, which “monitors” Middle East studies on campus. As its mission suggests, this organisation is incompatible with the core values of higher education such as tolerance, free speech, and the dignity of difference. Mercifully, there is not yet anything remotely resembling Campus Watch in the UK.

There is, however, an ongoing campaign for an academic boycott of Israel. Considerable confusion surrounds the boycott proposal, which is not directed against individual academics or call for scrutiny of their political views. What it calls for is the withdrawal of institutional collaboration with Israeli universities. This implies refusal to participate in conferences and research projects organised by Israeli universities and opposition to research grants by the EU to Israeli institutions. The strongest argument in favour of the boycott is that the Israeli authorities interfere with the academic freedom of Palestinian universities. For example, a resident of Gaza who studies or teaches on the West Bank is prevented by the Israeli siege from getting to his or her university.

Fortunately, only a tiny fraction of British academics support the call for an academic boycott. One does not have to be an academic to understand that two wrongs do not make a right. My own view is that an academic boycott is an oxymoron: you do not have a boycott on dialogue, debate, or the free circulation of ideas. In fact, I am strongly opposed to a selective boycott precisely because it would violate the freedom of Israeli academics. Freedom of speech is indivisible and inviolable. It is a great gift which we still enjoy on this island and we should all take great care to ensure that no political cause, however dearly cherished, is allowed to override it.

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