

Resistance as an Indispensable Component of Development under Colonial Conditions:

Boycott Divestment and sanctions (BDS) as a Case Study

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Center for Development Studies

The Centre for Development Studies (CDS) was established in 1997 as a research programme specializing in development studies. Having lived under occupation since 1967, Palestinian society's right to development remains severely restricted. The CDS therefore aims to deepen and engage development concepts through theoretical and conceptual frameworks that explore and contextualise Palestinian development within the reality of occupation. This includes studying the interactions between the economic, social and political determinants of development as well as the structures of power and dominance which preclude sustainable development. In addition, the CDS seeks to provide an institutional framework within which all development-related issues can be considered, researched and discussed, with a view to providing practical guidance and assistance for relevant decision makers.

The CDS reinforces theory with practice through its various academic research and community-oriented activities. These include seminars, workshops, survey research, evaluation studies and needs assessments. The Centre coordinates a number of academic research projects in the area of development with local and international institutions. It is also involved in community-based projects that seek to empower marginalized groups and integrate them in the development process. The Center's activities are supervised by a committee of academic and administrative staff members from Birzeit University, who provide it with both technical and academic support. Over the years, the CDS has built an extensive network of relations with grassroots organizations, the Non-governmental sector, international organizations and the government. The Centre has also executed projects in neighboring countries, particularly in relation to Palestinians in the Diaspora. The CDS has been supported in its activities through funding from numerous local and international donors.

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Introduction

“If you are neutral in situations of injustice, you have chosen the side of the oppressor.”²

Desmond Tutu

In a situation of occupation, colonialism or apartheid, any possibility of genuine, sustainable and independent development is deliberately and systematically hindered by the hegemonic power structures employed by the oppressor to maintain the system of domination. Consequently, effective resistance by the oppressed, aside from its empowering and “humanizing”³ function, becomes an indispensable means of dismantling and transcending the fundamental obstacles that hinder development, as well. Regardless of whether its focus may be economic, civic, cultural, or social, any development strategy that fails to *simultaneously* address the fundamental requisite to contribute, directly or indirectly, to the struggle to *end* oppression, not just assuage its pains, is beyond futile and irresponsible; it is patently immoral. It amounts to conscious collusion in perpetuating oppression and injustice under the rubric of helping the victims to cope with unbearable conditions of distress, poverty, and hopelessness. Coping without resistance amounts to adapting to oppression and, therefore, coexisting with it.

2- As quoted in *Ending Poverty As We Know It : Guaranteeing a Right to a Job at a Living Wage*(2003) by William P. Quigley, p. 8. http://en.wikiquote.org/wiki/Desmond_Tutu

3- In his iconic book, “Pedagogy of the Oppressed,” Brazilian education philosopher Paulo Freire argues that dehumanization “marks not only those whose humanity has been stolen, but also (though in a different way) those who have stolen it.” He adds, “But while both humanization and dehumanization are real alternatives, only the first is the people’s vocation. ... It is thwarted by injustice, exploitation, oppression, and the violence of the oppressors; it is affirmed by the yearning of the oppressed for freedom and justice, and by their struggle to recover their lost humanity. ... In order for this struggle to have meaning, the oppressed must not, in seeking to regain their humanity (which is a way to create it), become in turn oppressors of the oppressors, but rather restorers of the humanity of both.” <http://www.webster.edu/~corbetre/philosophy/education/freire/freire-1.html>

Polishing our Chains

At the height of the struggle against apartheid in South Africa, and in reaction to the growing international isolation of the regime due to the spread of boycotts called for by the oppressed black majority, the governments of the United States and the United Kingdom adopted an official policy of “constructive engagement,” opting for “quiet diplomacy,” rather than sanctions. Assailing this policy as “immoral” and “evil,” Archbishop Desmond Tutu told the US House Foreign Affairs Subcommittee on Africa in 1984, “We do not want our chains comfortable. We want them removed.”⁴ Indeed, the “development” paradigm adopted by many Western funding bodies, even some UN agencies, in the Israeli-occupied Palestinian territory are increasingly being seen by Palestinians as seeking to slightly *relax* Israel’s colonial chains, not to help break them. Except they more often than not focus only on one set of chains incarcerating the segment of the Palestinian people in the 1967-occupied territory, sometimes including East Jerusalem, and ignoring the other fetters that oppress the overwhelming majority of Palestinians.

When the cliché of “supporting the Palestinian people” is used by Western agencies, it usually refers to funding projects that at best address a *subset* of the rights of the Palestinians living under Israeli occupation in Gaza and the West Bank, including East Jerusalem -- a minority of the Palestinian people. This leaves out the basic rights of the other two components that constitute the majority: Palestinian refugees, who are denied their UN-sanctioned right to return to their homes of origin from which they were forcibly displaced in the 1948 Nakba and ever since,⁵ and Palestinian citizens of Israel who live under a system of legalized and institutionalized racial discrimination⁶, which fits the UN definition of apartheid.⁷ It is worth noting here that even in the occupied

4- <http://www.time.com/time/magazine/article/0,9171,923808,00.html>

5 <http://unispal.un.org/UNISPAL.NSF/0/C758572B78D1CD0085256BCF0077E51A>

6-Even the US Department of State in its annual Human Rights Reports consistently describes Israel’s treatment of its Palestinian citizens as constituting “institutional, legal, and societal discrimination.” <http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154463.htm>

7- See the definition of apartheid in the 2002 Rome Statute of the International Criminal Court: <http://treaties.un.org/doc/Publication/UNTS/Volume%202187/v2187.pdf> and in the International Convention on the Suppression and Punishment of the Crime of Apartheid: <http://www.icc-cpi.int/NR/rdonlyres/6C2AB560-3E9D-401D-ACD8-A6F7C3AA7F6E/248661/372818.PDF>. In 2009, a

Palestinian territories (OPT) a large minority is made of refugees who are entitled to UN-sanctioned rights beyond simply ending the occupation.

When supporting the Palestinian people translates into Western funding of basic services that the occupying power, Israel, is supposed to provide, and when this is coupled with political “neutrality” on the main issues of occupation and apartheid and the resultant denial of basic rights, funders are choosing “the side of the oppressor,” as Tutu would say.

Gaza: A Peculiar Case of Development Priorities

The most crucial rights of Palestinians in the OPT are rarely addressed by Western-funded “development” projects. This is most pronounced in Gaza, where more than 1.5 million Palestinians are under a fatal siege that current UN special rapporteur for human rights in the OPT, Prof. Richard Falk, has called a prelude to “genocide.”⁸ Falk, who happens to be Jewish, argued that the siege is especially disturbing because it vividly expresses “a deliberate intention on the part of Israel *and its allies* to subject an entire human community to life-endangering conditions of utmost cruelty.”⁹ [Emphasis added]

After almost five years of this Israeli -- Western- and Egyptian- backed -- hermetic blockade of Gaza and its illegal military assault on it, Israel has reduced Gaza to what British Prime Minister David Cameron describes as a “prison camp,” but donor priorities remained focused on selective and very partial charitable projects that omit any mention of the root causes of the dire reality. The systematic Israeli targeting of Gaza’s water and sanitation facilities, for instance, has compounded an already “severe and protracted denial of human dignity,” wrote Maxwell Gaylard, UN

South African academic study conducted by the Human Sciences Research Council showed that Israel practices occupation, colonialism and apartheid in the OPT. <http://www.bdsmovement.net/files/2011/02/OccupationColonialismApartheid-ExecSummary.pdf>.

8- “Israel, Palestine and the Hypocrisies of Power: An Interview with Noam Chomsky,” August 22, 2007, http://www.kibush.co.il/show_file.asp?num=22676.

9- Richard Falk, “Slouching toward a Palestinian Holocaust,” June 29, 2007, http://www.transnational.org/Area_MiddleEast/2007/Falk_PalestineGenocide.html.



Humanitarian Coordinator for the Occupied Palestinian Territory, causing “a steep decline in standards of living for the [Palestinians] of Gaza, characterized by erosion of livelihoods, destruction and degradation of basic structure, and a marked downturn in the delivery and quality of vital services in health, water and sanitation.”¹⁰

A 2009 report by Amnesty International on Israel’s intentional and long-standing policy of denying Palestinian fair access to their water resources has shed light on a particularly fatal aspect of Israel’s designs for the 1.5 million Palestinians in the occupied Gaza Strip. “In Gaza,” the report affirms, “90–95 per cent of the water supply is contaminated and unfit for human consumption.”¹¹ The report cites an earlier study by the UN Environmental Programme (UNEP) which correlates the widespread contamination of Gaza’s water resources to the rise in nitrate levels in the groundwater “far above the world health organization (WHO) accepted guideline,” inducing a potentially lethal blood disorder in young children and newborns called methemoglobinaemia, or the “blue babies” phenomenon. Some of the detected symptoms of this disease in Gaza infants include “blueness around the mouth, hands and feet,” “episodes of diarrhea and vomiting,” and “loss of consciousness.” “Convulsions and death can occur” at higher levels of nitrate contamination, the report concludes.¹²



Contamination from Israel’s war on Gaza and its ongoing siege did not stop at Gaza’s water resources; it dangerously polluted the soil as well. An independent group of scientists and physicians from the New Weapons Committee, an Italy-based group that researches the effects of recently developed weapons on civilian populations in war zones, conducted a study on Israel’s use of “non-conventional weapons” and their “middle-term effects” on the Palestinian residents of areas in Gaza that were bombed by the Israeli army on two separate occasions. “The 2006 and 2009

10- Maxwell Gaylard, quoted in “Humanitarian Organisations Deeply Concerned about the Ongoing Water and Sanitation Crisis in Gaza; Call for an Immediate Opening of Gaza’s Crossings,” Association of International Development Agencies press statement, August 2009, http://www.ochaopt.org/documents/hc_aida_statement_gaza_watsan_20090803_english.pdf.

11- Amnesty International, “Troubled Waters—Palestinians Denied Fair Access to Water,” October 2009, <http://www.amnesty.org/en/library/asset/MDE15/027/2009/en/e9892ce4-7fba-469b-96b9-c1e1084c620c/mde150272009en.pdf>.

12- UNEP, “Environmental Assessment of the Gaza Strip Following Hostilities in December 2008–January 2009,” September 2009, http://postconflict.unep.ch/publications/UNEP_Gaza_EA.pdf.

Israeli bombings on Gaza,” the study shows, “left a high concentration of toxic metals in soil, which can cause tumours, fertility problems, and serious effects on newborns, like deformities and genetic pathologies.”¹³

Why can't funders, aside from “fixing damaged pipes,” attempt to hold Israel to account for inducing this human and environmental catastrophe? That may deter it from destroying in the future what is being fixed today with those funding states' taxpayers' money.

So, when the European Union, which is actively colluding to maintain the siege, launches a relatively expensive public relations campaign all over Gaza – and the West Bank – with its main slogan, “Your Priorities are ours,” without a hint of sarcasm, it seems to be sending a blunt message to the Palestinians under occupation: “We set the priorities, you adopt them as yours, or else we cut funding.” This fits perfectly into Western-funded “development” models used all over the global South, from Latin America to Africa to South Asia.

The Holocaust-guilt-ridden West wishes to wash its hands of its genocide against European Jews, by among others, imposing on the Palestinian people an unjust settlement of this colonial conflict that would leave Israel with almost full control over the OPT Palestinians' economy, most fertile lands, water aquifers and borders. Most crucially, such a funder-driven, unjust political settlement would perpetuate Israel's denial of the basic rights of the great majority of the Palestinian people, those in exile as well as in Israel, foremost among them their inalienable right to participate in exercising self determination, which was declared by the UN as a prerequisite for any nation under colonial rule to enjoy the full set of, political, cultural and economic rights and so on, as explained below.

13- Newweapons Committee, “Gaza Strip, Soil Has Been Contaminated Due to Bombings: Population in Danger,” press release, December 17, 2009, <http://www.newweapons.org/?q=node/110>.

Peace Process Fraud

Instead of addressing the fundamental rights of the Palestinian people, the hegemonic powers (mostly former colonizers themselves) have conceptually and concretely used their financial and political power to foster a gradual reduction of the question of Palestine from one that is centered around de-colonization and Palestinian self determination to one that is obsessively focused on the so-called “peace process,” with the endless negotiations that are associated with it, and, most recently, “state building” to prove that we *deserve* freedom.

Starting with the collapse of the Soviet Union and the premature end of the first Palestinian intifada (1987–1991), through to the launching of the Madrid-Oslo “peace process” and until a decade ago, the question of Palestine had been progressively marginalized, if not relegated to a mere nuisance factor, by the powers that be in the new unipolar world. In 2000, a mere seven years after the Oslo agreements were signed between the Palestine Liberation Organization (PLO) and the Israeli government, Edward Said reflected on this “peace process” thus:

*What of this vaunted peace process? What has it achieved and why, if indeed it was a peace process, has the miserable condition of the Palestinians and the loss of life become so much worse than before the Oslo Accords were signed in September 1993? And why is it, as the New York Times noted on 5 November [2000], that “the Palestinian landscape is now decorated with the ruins of projects that were predicated on peaceful integration”? And what does it mean to speak of peace if Israeli troops and settlements are still present in such large numbers? ... Has the world been deluded or has the rhetoric of “peace” been in essence a gigantic fraud?*¹⁴

Ever coveting artificially low-priced energy resources and open access to a large, under-developed, structurally dependent market, and always keen to ease their guilt over the Holocaust

14- Edward Said, “Palestinians under Siege,” *London Review of Books* 22, no. 24 (December 14, 2000), <http://www.lrb.co.uk/v22/n24/edward-said/palestinians-under-siege>. For a more detailed study of the failure of the “peace process,” see Edward Said, *The End of the Peace Process* (New York: Pantheon Books, 2000).

while blunting any possibility of popular upheavals for emancipation, social justice, and authentic democracy, various Western powers played the key role in establishing Israel as a colonial outpost in the region. They have continued to generously support it economically, diplomatically, academically, and politically to maintain its domination. Arabs in general and Palestinians in particular were forced to pay the price for a European genocidal crime that they had no role in, and are now being bribed to accept injustice as fate, so that this dark chapter in Western history can finally reach closure. In this context, the so-called peace process has been used as a cover for ongoing Israeli occupation, colonization, and frustration of the Palestinians' aspiration for freedom and justice.

Sara Roy, a Harvard University expert on development in the OPT, accuses the European Union, along with the United States, of complicity in a deliberate Israeli policy of “de-development” of the OPT, killing any possibility of creating an independent and sovereign Palestinian state. By providing the Palestinians with “tangible benefits such as higher income and improved infrastructure,” Roy argues, the European Union was hoping to buy Palestinian support for substantial concessions in the so-called peace negotiations. She concludes, “The logic of international law was abandoned in the interest of maintaining a failed political process.”¹⁵

The parameters of this “peace process” have shrunk with time, leaving out most of the rights that the Palestinians are entitled to under international law. From the Quartet to the UN, Palestinians are offered, instead, an end to only the *discernible* aspects of the Israeli occupation -- while maintaining Israel's effective control -- over “most” of the Palestinian territory occupied in 1967. And “in return” for this “generous offer,” Palestinians are expected, indeed subjected to cruel pressure, to accept Israel's illegal, de facto annexation of the largest colonial blocs, with the most fertile lands and richest water resources, relinquish the right of return, and recognize Israel as a “Jewish state,” in other words a state that systematically privileges part of its citizenry and discriminates against others based on religion and ethnicity. This has become the basic formula for the so-called peaceful settlement endorsed

15- CIDSE Seminar Report, *The EU's Aid to the Occupied Palestinian Territory*, Brussels, November 7, 2008.

by the world's hegemonic powers and acquiesced to by an unelected, unrepresentative, unprincipled and visionless Palestinian "leadership." The entire spectrum of Zionist parties in Israel, and their supporters in the West -- with a few exceptions -- have advocated this unjust and illegal formula for years as the "only offer" on the table before the Palestinians; failing to take it would be met with the menacing Israeli bludgeon, the not-so-implicit threat goes. However, with the sharp rise of Jewish fundamentalism¹⁶ and the fanatic right in Israel even this long-held unjust Israeli formula no longer enjoys majority support in the Jewish-Israeli public,¹⁷ a staggering 94% of which has consciously supported the massacre in Gaza against Palestinians during Cast Lead.¹⁸

In short, the peace process can accurately be characterized as a *piece* process, fragmenting the Palestinian people into pieces, expunging most of these "pieces" from the very definition of the people and, as a result, completely ignoring, thus entrenching, Israel's decades-old denial of their fundamental rights. Palestinian grassroots resistance, especially peaceful resistance, becomes a necessity to safeguard our *right* to enjoy those comprehensive rights, without which a just and therefore sustainable peace cannot possibly be realized.

Charity as Cover for Complicity

The Oslo "peace" process has been religiously adhered to by Western states, despite its obvious flaws. Other than providing Israel with an invaluable alibi while it continues to deny Palestinians their rights, Oslo has given Israel the perfect cover, effectively enabling its ongoing siege of Gaza as well as intensifying land grabs, colonization, and gradual ethnic cleansing, especially in Jerusalem, the Jordan Valley and the Naqab (Negev). This process

16- For more on this see: <http://electronicintifada.net/content/israels-latest-massacre-gaza-racist-jewish-fundamentalism-factor/6257>

17-The 48% of Israelis polled opposed, while only 45% supported, the following outline of a "peace" agreement with the Palestinians that fails to meet the minimal requirements of international law: "There is a plan stipulating that in the framework of a peace agreement in which the Palestinians recognize Israel as a Jewish state, Israel will concede most of the territories in Judea and Samaria but the settlement blocs will remain in Israeli hands, in exchange for which Israel will return to the Palestinians territory of comparable size from within the State of Israel. Do you support such a plan or are you opposed?" <http://coteret.com/2010/09/14/yediot-to-abe-foxman-are-we-anti-semitic-too/#more-2833>

18-Etgar Lefkovits, Overwhelming Israeli support of Gaza op, *Jerusalem Post*, 14 January 2009. <http://www.jpost.com/Israel/Article.aspx?id=129307>

has given rise to what Palestinians call a “peace industry,”¹⁹ where millions of Western taxpayers’ money is wasted on joint, ostensibly “apolitical,” projects between Palestinians and/or Arabs on the one hand and Israelis on the other.

Lavish funding was showered on the Peres Center for Peace, for instance, under the rubric of helping the Palestinians. Projects ranging in focus from heart surgery to football and much in between were administered and implemented by the Peres Center with junior Palestinian “partners,” reinforcing the racist oppressor-oppressed hierarchical relationship of power and hegemony. Instead of funding Palestinian universities, for example, to develop medical research and treatment, money went to the already developed Israeli medical infrastructure to indirectly provide medical services to Palestinians who are deprived of them, at exuberant prices. Former deputy mayor of occupied Jerusalem, Meron Benvenisti, put it quite accurately:

In the activity of the Peres Center for Peace there is no evident effort being made to change the political and socioeconomic status quo in the occupied territories, but just the opposite: Efforts are being made to train the Palestinian population to accept its inferiority and prepare it to survive under the arbitrary constraints imposed by Israel, to guarantee the ethnic superiority of the Jews. With patronizing colonialism, the center presents an olive grower who is discovering the advantages of cooperative marketing; a pediatrician who is receiving professional training in Israeli hospitals; and a Palestinian importer who is learning the secrets of transporting merchandise via Israeli ports, which are famous for their efficiency; and of course soccer competitions and joint orchestras of Israelis and Palestinians, which paint a false picture of coexistence.²⁰

19- For more on this critique of what Palestinians call the “peace industry,” see Faris Giacaman, “Can We Talk? The Middle East ‘Peace Industry,’” *Electronic Intifada*, August 20, 2009, <http://electronicintifada.net/v2/article10722.shtml>.

20- <http://www.haaretz.com/print-edition/opinion/a-monument-to-a-lost-time-and-lost-hopes-1.256342>

Keenly cognizant of these attempts to prolong underdevelopment in the health field through promoting “dialogue and collaboration” or joint scientific research between Palestinian and Israeli health professionals, NGOs, and health institutions, leading Palestinian health organizations and service providers have voiced their “deep-rooted objections” as such²¹:

1. These initiatives, no matter how well intentioned, are imposed largely from the outside, either luring professionals and academics with funds, facilities and opportunities for personal advancement in a resource starved environment, or bringing them solutions to individual medical and systemic problems that the Israeli military occupation of Palestinian land has created and maintained.

2. Such schemes, furthermore, do not reflect current Palestinian priorities and ignore the vastly unequal relationship between the two parties: one is an occupier and the other is occupied.

3. They fail to take into consideration the generally silent response of the Israeli academic and professional establishment to Palestinian scientific, medical, health, educational, economic, social and political strangulation. In some cases, such Israeli institutions have been known to participate in developing the strategies and plans of Israeli rule of Palestinians, their justification, and even providing the academic legitimacy to market such strategies and plans in the West.

While projecting this facade of charitable assistance to the Palestinians, several states were actively colluding in Israeli violations of international law. The government of France, for example, has not only promoted French companies, Veolia and Alstom, helping them to win the Israeli bid for a rail project connecting the illegal colonial settlements around Jerusalem with the city, it now owns²² a share in one of the companies that are partnering in this project which is in direct conflict with the Fourth Geneva Convention.

21- <http://pacbi.org/etemplate.php?id=45>

22- <http://www.transdevplc.co.uk/cmsUploads/news/files/veolia%20Transdev%20merger.pdf>

The British Council, whose projects in the cultural and educational field in the OPT have often been praised by Palestinians, has led the Britain-Israel Research and Academic Exchange Partnership (BIRAX) since July 2008,²³ partnering with Israeli universities that are deeply implicated in violations of international law²⁴ in a project that has all the hallmarks of “constructive engagement” applied once to South African apartheid to protect it from spreading international boycotts. According to the British Foreign and Commonwealth Office’s own statement on the project, “[British] Government support for BIRAX is a tangible example of our determination to oppose boycotts against Israel, which are unacceptable and do nothing to promote understanding or the cause of peace in the Middle East.”²⁵

Sweden, while famed among Palestinians for its unwavering support for human rights and the rule of law, has also been recently involved, in several ways, in undermining human rights and abetting Israeli violations of international law. Through its large funding of the so-called Palestine International Business Forum (PIBF), the Swedish International Development Agency (SIDA) has knowingly²⁶ given millions of dollars to a project whose members include leading Israeli businessmen involved in colonial settlements, and a former head of Israel’s internal intelligence service, Shabak, who is infamous for the use of torture to extract confessions from Palestinian prisoners, and others with equally conspicuous records of infringement of international law.²⁷ Furthermore, the Swedish army imports products manufactured in the Barkan industrial zone,²⁸ which is a colony illegally built on occupied Palestinian land.

Brazil, a champion of respecting the rights of weaker nations in the global South and long-time backer of Palestinian rights,

23- <http://pacbi.org/etemplate.php?id=788>

24- http://www.alternativenews.org/images/stories/downloads/Economy_of_the_occupation_23-24.pdf

25- <http://www.jpost.com/LandedPages/PrintArticle.aspx?id=167873>

26- SIDA was made aware by Swedish solidarity groups that PIBF with its current structure and membership entails serious complicity in covering up human rights violations.

27- <http://www.pibf.net/> (some individuals’ and companies’ names were deliberately removed from the website after a damning report from Palestine solidarity activists in Sweden, sent to SIDA, detailing these individuals’ and companies’ involvement in international law violations. The full list is well archived, though, with this author).

28- <http://whoprofits.org/Company%20Info.php?id=532>

including recent endorsement of the Palestinian right to statehood, has evolved into the fifth largest importer of Israeli military products and services.²⁹

Even post-apartheid South Africa, expected for a good reason, to be the closest ally of the Palestinian people in its struggle for freedom and self determination has allowed its trade with Israel, including in strategic industries and the “security” sector, to mushroom, thereby entrenching Israel’s own system of apartheid and colonial subjugation of the Palestinians.³⁰ In an irony of history, one South African company has supplied Israel with the barbed wire it uses in the construction of its apartheid wall.³¹

The United States government is intentionally left off the list, as its decades-old role in supporting, bankrolling, whitewashing and protecting Israel’s occupation, colonialism and apartheid amounts to full partnership in crime, no less.

Palestinian civil society will be excused, then, for not being impressed by bones thrown to it by donors to fix some streets, build a couple of kindergartens, employ a few thousand workers temporarily, or otherwise polish the chains of occupation and other forms of Israeli oppression while their complicity provides Israel with the impunity it needs to carry on with its oppression. Charity should never be used to cover up such complicity, and when it is, it is not ungrateful or imprudent of Palestinians to strongly condemn it.

Resistance for Self-Determination

Palestinian civil society does not expect donor states, not yet at least, to impose comprehensive sanctions against Israel as they had done against apartheid South Africa. But it does expect them to at least refrain from colluding in cementing, covering up, and protecting Israel’s multi-tiered system of oppression. If they cannot yet stand in solidarity with even our peaceful forms of resistance, they ought to, at a bare minimum, respect and observe our boycott guidelines and stop crossing our boycott picket line. Otherwise, they would be undermining every form of effective re-

29- http://www.bdsmovement.net/files/2011/03/brazilian_military_ties_with_israel.pdf

30- <http://bdsmovement.net/files/SA-Israel%20report%20-%20june%202009.pdf>

31- Ibid.

sistance adopted by almost all Palestinian civil society.

The main objective of Palestinian resistance to Israel's violations of international law is to uphold and re-assert the right of the Palestinian people to self determination as a necessary condition for exercising our various inalienable rights.

The United Nations has called the right to self-determination indeed a prerequisite to the enjoyment of all other human rights. This right entered international law, formally at least, in the United Nations Charter, Article 1(2), which states, "The purposes of the United Nations are to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples."³²

UN general assembly (UNGA) Resolution 3236, of 22 November 1974,³³ elevates the applicability of the right to self determination to the people of Palestine to an "inalienable" right. The Resolution:

1. Reaffirms the inalienable rights of the Palestinian people in Palestine, including:
 - (a) The right to self-determination without external interference;
 - (b) The right to national independence and sovereignty;
2. Reaffirms also the inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted, and calls for their return;
3. Emphasizes that full respect for and the realization of these inalienable rights of the Palestinian people are indispensable for the solution of the question of Palestine

A morally-consistent, rights-based approach to resolving the question of Palestine, therefore, necessitates addressing the three inalienable rights of the indigenous people of Palestine, in harmony with universal human rights and international law.

A UNESCO conference of experts on the implementation

32- <http://www.un.org/en/documents/charter/chapter1.shtml>

33-<http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/738/38/IMG/NR073838.pdf?OpenElement>

of the right to self determination, held in Barcelona in 1998,³⁴ reaffirmed that the right to self-determination applies to all peoples under contemporary international law, but emphasized its particular applicability to “peoples under subjugation suffering colonial, racist and occupying regimes, whole populations of states, in terms of the right to determine their political status and their economic, social and cultural development, as well as groups within the population of states, indigenous or otherwise, that are considered ‘peoples’ and suffer under contemporary forms of colonialism, such as settler-colonialism, which do not fit into the traditional and arbitrary concept of ‘salt water colonialism’.”³⁵ In other words, the right to self determination is an instrument of promoting a just peace and ending oppression, not entrenching it.

BDS: The Global Struggle for Palestinian Rights

The fact that the so-called international community, under the hegemonic influence of the US, the world’s only superpower, has not only failed to stop Israel’s construction of the wall and settler-colonies, both declared illegal by the International Court of Justice (ICJ) in 2004, but has colluded in undermining UN-sanctioned Palestinian rights under the guise of a patently fraudulent “peace process” has prompted Palestinian society to, again, surpass its “leadership” and reassert its basic rights. As a result, on the first anniversary of the ICJ advisory opinion against the wall, Palestinian civil society -- representing Palestinians under occupation, in exile, and in Israel -- issued a historic call for freedom, justice and equality, the three slogans of Boycott, Divestment and Sanctions (BDS) against Israel until it fully abides by its obligations under international law.³⁶

Endorsed by an unprecedented near consensus among Palestinians inside historic Palestine as well as in exile, the BDS Call reminded the world that the Palestinian people includes the

34- <http://www.unpo.org/content/view/446/83/>

35-Amy Maguire, *Law Protecting Rights: Restoring the law of self-determination in the neo-colonial world*. In *Law Text Culture*, Volume 12, Issue 1. 2008. <http://ro.uow.edu.au/cgi/viewcontent.cgi?article=1002&context=ltc>

36- <http://www.bdsmovement.net/call>

refugees forcibly displaced from their homeland -- by Zionist militias and later the State of Israel -- during the 1948 Nakba,³⁷ and ever since, as well as the Palestinian citizens of Israel who remained on their land and now live under a regime of legalized racial discrimination.³⁸ As such, BDS became the first popular Palestinian political document in decades to reassert the basic rights of *all* segments of the indigenous people of Palestine.

Anchored in international law and universal human rights and categorically opposed to all forms of racism, including anti-Semitism and Zionism, BDS has developed into a truly global movement of resistance to Israel's three-tiered system of colonial oppression and, crucially, to international, mostly Western, complicity in entrenching this system. Major international trade union, faith groups, academic and cultural figures, among others, have endorsed BDS, bringing closer the "South Africa moment" to Israel.³⁹

Since July 2005, there has never been a period with as many BDS achievements as that which started after the Israeli massacre in Gaza in the winter of 2008-2009 and the more recent bloody attack on the Gaza-bound Freedom Flotilla in May 2010. Both have rudely awakened a long dormant sense of international public outrage at Israel's exceptional status as a state above the law. People of conscience around the world seem to have crossed a threshold in challenging Israel's impunity through effective pressure, not appeasement or "constructive engagement."

"Besiege your siege," the haunting cry of Palestine's most celebrated poet, Mahmoud Darwish, suddenly acquires a different meaning in this context. Since convincing a colonial power to give up its privileges and heed moral pleas for justice is, at best,

37- For more on the planned and systematically executed Zionist campaign to dispossess and uproot the Palestinian people see: Ilan Pappé, *The Ethnic Cleansing of Palestine*, London and New York: Oneworld, 2006.

38- There are at least twenty Israeli laws, including Basic Laws (equivalent to constitutional laws), that legalize and institutionalize the system of racial discrimination against the Palestinian citizens of the state for being "non-Jews." See: Adalah, Major Findings of Adalah's Report to the UN Committee on the Elimination of Racial Discrimination, <http://www.adalah.org/eng/intladvocacy/cerd.htm#major>

39- For more on BDS and the "South Africa moment" see: Omar Barghouti, *Boycott, Divestment, Sanctions (BDS): The Global Struggle for Palestinian Rights*. Haymarket (Chicago: 2011).

delusional, many now feel the need to “besiege” Israel through boycotts, raising the price of its siege and apartheid. Rather than get bogged down in trying to convince Israel to recognize us as humans and then to win from it an emaciated set of our rights and bits and pieces of our dignity, the overwhelming majority of the Palestinian people opted for this all-encompassing civil, non-violent resistance that counters the entire array of Israeli injustices.

When almost all Palestinian unions, political parties, NGO networks and mass organizations adopted BDS in 2005, they were not only endorsing the effective, morally consistent tactics of boycott; they were actually subscribing to Desmond Tutu’s wise words, “I am not interested in picking up crumbs of compassion thrown from the table of someone who considers himself my master. I want the full menu of rights.”⁴⁰

When projects aim to ameliorate the severe conditions under which many Palestinians languish as a result of the occupation, say, without -- even indirectly -- strengthening the legitimate Palestinian right to resist this occupation in order to end it, these projects turn into gestures of charity, not solidarity. The difference is as large as that between morality and complicity. As noble as intentions may be, every act of charity that is divorced from a parallel act of solidarity can only help prolong injustice and further entrench it. In the worst case scenario, this charity becomes a form of collusion whereby donors end up footing the bill for Israel’s oppression, thus subsidizing the unjust system.

In conclusion, applying a “post-colonial” development model, as some donors consciously do, to a manifestly colonial situation is beyond ill-conceived, misguided or simply naive; it exudes complicity in perpetuating the colonial situation. This complicity is further aggravated when development does not address the necessary process of de-colonization, thus amounting to little more than chain polish.

40- <http://www.tutufoundation-usa.org/exhibitions.html>