

# Divesting — Justified or Not?

## Movement Founder Elaborates on Goals Divestment Won't Help Either Side

During the course of a public lecture I gave at Illinois State University in Bloomington-Normal on Nov. 30, 2000, I issued a call for the establishment of a nationwide campaign of divestment/disinvestment against Israel, which I later put on the Internet.

In response thereto, the Students for Justice in Palestine of the University of California-Berkeley launched a divestment campaign against Israel there.

Then the city of Ann Arbor, Mich., considered divesting from Israel.

Next, the Palestinian Students at the University of Illinois at Urbana-Champaign

(whom I am privileged to advise) launched an Israeli divestment campaign here. As of last count, more than 50 campuses in the United States have organized divestment/disinvestment campaigns against Israel.

This grassroots movement is taking off! Concerned citizens and governments all over the world must organize a comprehensive campaign of economic divestment and disinvestment from Israel along the same lines of what they did to the former criminal apartheid regime in South Africa.

This original worldwide divestment/disinvestment campaign played a critical role in

dismantling the criminal apartheid regime in South Africa.

See my "Defending Civil Resistance under International Law 211-81" (Transnational Publishers: 1987).

A worldwide divestment/disinvestment campaign against Israel will play a critical role in dismantling its criminal apartheid regime against the Palestinian people living in occupied Palestine as well as in Israel itself.

For much the same reasons, a worldwide divestment/disinvestment campaign against Israel can produce an historic reconciliation between Israelis and Palestinians — just as it successfully did between whites and blacks in South Africa.

This new divestment/disinvestment campaign should provide the Palestinians with enough economic and political leverage needed to negotiate a just and comprehensive peace settlement with the Israelis — just as it did for the blacks in South Africa.

Today the Republic of South Africa stands as a beacon of hope for peoples and states all over the world.

The same could be true for Palestine and Israel.

Francis Boyle, a University of Illinois at Urbana-Champaign law professor, started the divestment movement. E-mail him at fboyle@law.uiuc.edu.

**FRANCIS BOYLE**

**GUEST COLUMNIST**

## Moeser Opposes Divesting UNC's Endowment

Editor's Note: The following remarks come from Chancellor James Moeser's address at the Faculty Council meeting Friday.

As our nation's leaders and citizens debate the latest developments in American foreign affairs, these global issues continue to hit home here in Chapel Hill and indeed campuses nationwide.

Campus faculty representatives of a national campaign have written to me to advocate the divestment of any endowment funds with companies doing business with or selling weapons to the state of Israel or otherwise supporting the occupation of Palestine.



**JAMES MOESER**  
CHANCELLOR

Meanwhile, UNC is one of 21 universities listed on a controversial Web page called Campus Watch, created by a pro-Israel think tank. The page monitors and critiques Middle East studies activities by faculty on U.S. campuses.

It also collects information about professors "who fan the flames of disinformation, incitement and ignorance" in denigration of U.S. interests.

Elsewhere, in Europe, Israeli scholars are being black-listed from some universities or scholarly societies in what appears to be a rising tide of European anti-Semitism. President Lawrence Summers at Harvard has labeled the attacks on Israel — including the divestment initiative at Harvard — as a new and more subtle wave of American anti-Semitism.

We vigorously defended academic freedom when members of this faculty held controversial teach-ins critical of American foreign policy last year. We defended the choice of the Quran as a text chosen for the summer reading program.

We led this campus through a careful and judicious consideration last year of the proposed establishment of a branch of the Kenan-Flagler Business School in Qatar.

I have joined other presidents and chancellors in signing a statement condemning the terroristic attack on Hebrew University, and I signed a similar statement pledging an intimidation-free campus circulated by those denouncing anti-Semitic acts published this week as a full-page ad in The New York Times.

However, I amended that statement with my signature to say that UNC-Chapel Hill would be intimidation free for all — Jews, Muslims, Christians, Hindus, non-believers — and I would add for any other group that might be harassed or intimidated as a result of their sexual orientation. We are prepared to defend academic freedom wherever it is attacked — from the right or from the left, and to maintain the essential objectivity and neutrality of this University itself in national and international partisan affairs.

I object in the strongest terms to the attempts of Campus Watch to identify people on our campuses who teach and write about the Middle East and critique their work and statements for evidence of bias or errors. At the same time, I shall not recommend that the University divest from companies that do business with Israel.

The issues of human rights in the Israeli-Palestinian conflict are far too complex for a simplistic, bumper sticker solution. While I find the occupation of Palestinian lands reprehensible, so do I find the suicide bombings of innocent civilians equally abhorrent.

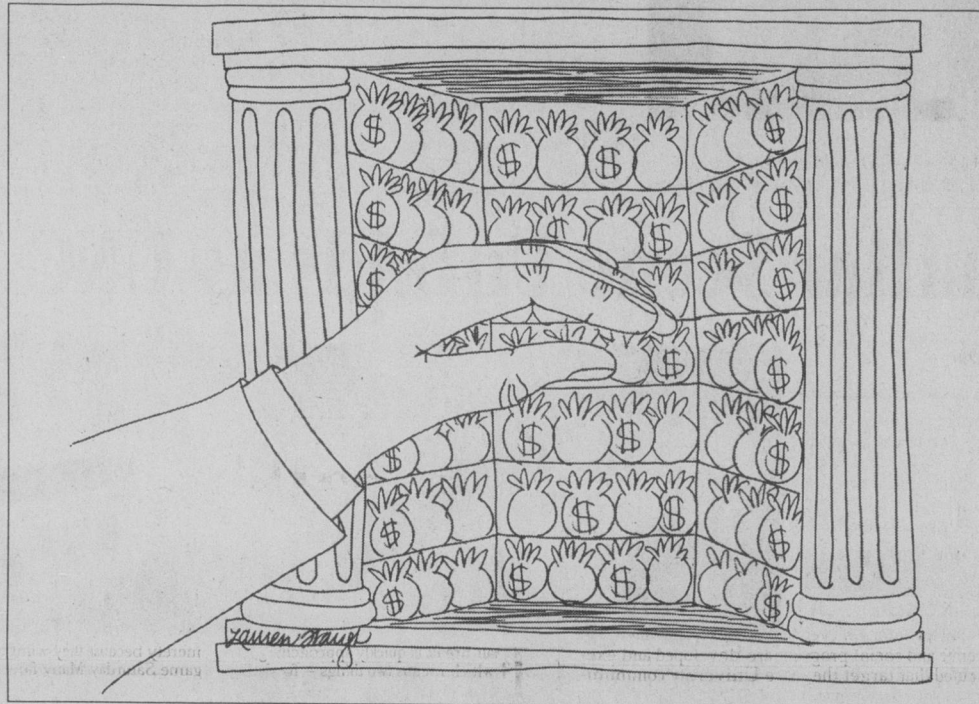
Let us recommit ourselves to be a campus where the discussion and disagreement about important issues of the day can take place in an atmosphere of civility and respect.

As our nation appears to be on the brink of initiating a pre-emptive and possibly unilateral military strike, I anticipate that voices will be raised in strong opposition as well as support of that action.

This will be a time that will test us as perhaps no other since the Vietnam conflict, which some of us in this room saw tear apart American campuses 30 years ago.

Already on many campuses across our nation we are seeing groups militating against one another, reminding us that history is cyclical. Let us resolve to deal with these issues in a distinctly different way — respecting those with whom we disagree, including their right to speak and be heard and encouraging honest questioning and inquiry. I call on everyone at Carolina to protect a culture of robust but respectful discussion and advocacy and dissent.

Reach Chancellor James Moeser by e-mailing him at jmoeser@email.unc.edu.



## Divestment Best Solution

In fall 2002, members of the UNC-Chapel Hill community formed N.C. Divest, a campaign for the University to divest any holdings from its endowment funds invested in corporations that have profited from weapons trading with the Israeli government or have benefited extraordinarily from the occupation by Israel of Palestinian lands.

This campaign joins the national movement for divestment that has included faculty, students, staff and community members from more than 30 university campuses, including UC-Berkeley, Harvard, Massachusetts Institute of Technology, Princeton, UC-Los Angeles and the University of Illinois. N.C. Divest is currently circulating a petition calling on UNC to divest its endowment funds of holdings of these corporations. This petition, along with information about the divestment campaign, is available and can be signed at <http://www.ncdivest.org>.

### What's Needed for Peace? Mutual Respect and Win-Win Solutions

The awarding last week of the Nobel Peace Prize to ex-President Jimmy Carter honors him for his many efforts on behalf of peace between nations. But the Nobel Committee chose to highlight his vital role in mediating the Camp David Accords of 1978, in which he brought together Israeli Prime Minister Menachem Begin and Egypt's President Anwar Sadat to forge an agreement for peace between Israel and Egypt. Peace treaties or unofficial ententes followed with Israel's other neighbors. Due to Carter's catalytic efforts based on mutual equality and respect, the citizens of Israel, Egypt and Jordan have enjoyed a generation of peaceful relations, trade and cultural exchange.

### Israel's Occupation of Palestine, 1967-2002: No Justice, No Peace

In contrast, the Oslo Accords between Israel and Palestinians have been far less successful. Since October 2000 alone, more than 1,800 Palestinians and 600 Israelis have died in violence involving Israeli soldiers and settlers and Palestinian militia, suicide bombers and civilians. There have been many innocent victims on both sides. Unlike the Camp David Accords, however, the relationship between Israel and Palestinians has been asymmetrical. Israeli Defense Forces and settlers have occupied Palestinian lands on the West Bank and Gaza since the 1967 war in a process in which a people unpro-

ted by a state have been dispossessed through violence initiated by a state — the state of Israel. In contrast, there is no Palestinian state, and Palestinians do not forcibly occupy the territory of Israel. Because of the Israeli state's longstanding unwillingness to recognize the rights or legitimate aspirations of the Palestinian people as an equal and sovereign neighbor of Israel, peaceful "win-win" solutions like Camp David have proven impossible. The Israeli state, and its leaders, must bear the largest responsibility for this failure, although Palestinian leaders also share responsibility.

Occupation of Palestine by the state of Israel has been brutal and systematic — over 35 years, it has ranged from the widespread killing of Palestinian civilians through air and land assaults, the destruction of Palestinian homes by bulldozers, the eviction by Israeli settlers of Palestinians from lands the latter have owned and cultivated for generations, to assassination, imprisonment and torture of leaders of Palestinian society, to attacks on Palestinian schools, hospitals and universities.

The brutality of the occupation has been reported widely in the international media and distilled in United Nations General Assembly resolutions calling on Israel to end the occupation and indemnify Palestinian refugees. Dissenters to the occupation include many Israelis.

### A Note on "Responsibility" vs. "Guilt"/"Blame"

In describing the history of the occupation, those I know in the divestment movement are not seeking to allocate guilt or blame between Israelis or Palestinians. They are instead calling for the Israeli state and its leaders to recognize their responsibilities. The concept of responsibility is future-oriented and plays a role in creating constructive "win-win" solutions.

### The Rhetoric of "Anti-Semitism" Accusations Versus An Intimidation-free Campus

As debate over divestment emerges, I strongly support the chancellor's recent demand for an "intimidation-free" campus environment. I anticipate possible charges of anti-Semitism for being so bold as to question U.S. government and corporate support for the Israeli occupation.

Anti-Semitism is unfortunately very much alive in the world — and I condemn

religiously based attacks on or harassment of Jews wherever and whenever they occur in the world. But the recent accusations of "anti-Semitism" in which any critic of the Israeli state or of its occupation of Palestine is labeled an "anti-Semite" are reprehensible. False accusations of "anti-Semitism" by those like the group Campus Watch or Harvard's President Lawrence Summers only incite intimidation and harassment. Such accusations have no place on university campuses or in the debate about divestment if the "intimidation-free" campus Chancellor James Moeser calls for is to be maintained.

### Divest Now

Over the last seven years, U.S. weapons manufacturers such as Boeing and Lockheed Martin have supplied Israel annually with an average of more than \$1 billion in weapons (paid for by the U.S. government and, indirectly, by U.S. citizens) that support the occupation: American-made F-16 jets and Apache helicopters send missiles into Palestinian homes, and American-made Caterpillar bulldozers demolish Palestinian dwellings. Other corporations have benefited directly or actively from the occupation. For instance, Intel has recently signed an agreement with the Israeli government to construct a \$1.6 billion fabrication plant in Kiryat Gat, on lands that were owned by Palestinians before 1967. University endowments holding these corporations' stocks or bonds receive part of their profits.

I support N.C. Divest's call on the University to divest its endowment of holdings from corporations making weapons and actively profiting from occupation until such time as Israel stops its occupation of all territories occupied since 1967, ends its apartheid policies toward the Palestinian population and complies with the legal rights (for compensation, etc.) established by United Nations resolutions.

Do those who run the University's endowment have responsibilities beyond that of making money for the University? I believe they do — as indeed the University's endowment administrators themselves recognized by their divestment from South Africa in 1987. When the University's endowment holdings conflict with social justice, the University's mission statement and the potential for a lasting peace, these holdings have to go.

Reach UNC anthropology Professor Donald Nonini at [dnonini@email.unc.edu](mailto:dnonini@email.unc.edu).

Invest? Divest? Um, what? Most of us do not really think about the variety of companies (both domestic and abroad) that do business with the University.

But this issue has recently cropped up in a movement to divest from Israel, a movement that is full of problems.

There is a difference between constructively criticizing Israel and setting out to damage the Jewish state. Singling out Israel from all of the states that have human rights abuses is a form of bigotry. The rhetoric of the divestment movement can easily be transformed into anti-Semitic language and perhaps even language favoring the destruction of Israel. In a highly publicized statement against divestment, Harvard President Lawrence Summers called the divestment movement anti-Semitic in effect if not intent.

I strongly hesitate to label the divestment movement anti-Semitic, and I definitely do not think all those who support this movement are anti-Semitic. I am certain that there are plenty of thoughtful individuals who sincerely care about the issue and think divestment is an appropriate and meaningful step.

But I think supporters of this movement make erroneous assumptions and conclusions.

To start, it strikes me as horribly hypocritical to target Israel for human rights abuses when there are a plethora of countries committing flagrant human rights abuses all over the globe.

If divestment proponents want to be intellectually honest, they should call for divestment from countries like Morocco for its occupation of western Sahara and human rights violations against native people; Iraq, Turkey and Syria for the occupation of Kurdistan and brutal assaults on civilians; Sudan for its occupation of southern Sudan and repression of non-Muslims there; Syria for its occupation of Lebanon; Russia for crimes in Chechnya; China for occupation of Tibet; and the list could go on and on.

Not to mention the Palestinian Authority, which encourages terrorism and oppresses its own people. Let's organize a boycott against them: That will solve the problem. Right?

Or not. Divestment is not a useful or effective tactic. It is not helpful to any party involved. If companies divest from Israel it will be economically detrimental to the entire region, including the Palestinians who the movement is supposedly for. Why not focus on an investment campaign in the Gaza Strip and West Bank to boost the standard of living of the Palestinians?

Additionally, the divestment "dialogue" is not a dialogue at all. It is divisive, unfairly accusatory and alienates.

But if our University wanted to invest in nations according to their human rights records, investments in Israel would rise and investments in countries like Saudi Arabia, Egypt and most countries of the world would decrease dramatically.

We could argue all day long about what is the root of the Israeli-Palestinian conflict, but where does this lead us? Nowhere.

Instead, we should focus our dialogue and efforts in supporting the region in endeavors of true peace and encouraging compromise on both sides.

Personally, I am against the Israeli presence in the West Bank and Gaza. I think the settlers will eventually have to leave. I think the Palestinians should have their own state. These are things many Israelis also accept, but the current state of affairs does not yield an ounce of trust to bring a successful dialogue.

I think very difficult concessions will be made on the Israeli side, and I know that if Israel felt like it had a partner for a real peace, it would be willing to make enormous compromises.

But how can it be expected for Israel to unilaterally do so?

Face it, Israel is not going to suddenly pull out of the disputed territories until there is a dramatic drop in terrorism and at least a framework for a just peace.

If Israel unilaterally pulls out, it will be seen as acquiescence to the tactic of terror. Israel withdrew from every inch of Lebanon in May 2000, but did Hizbollah stop attacking Israel? No.

And let us not forget that at Camp David in 2000, a framework for peace was on the table.

But under the most leftist government of Israel under Prime Minister Ehud Barak, when so many others and I sincerely thought peace was on the horizon, things fell apart.

A Palestinian state could have been in the works. But it was rejected, no counterproposal was given, and violence was the ensuing policy.

That was two years ago, and there is still a problem. Divestment is not the solution. I do not claim to have a clue how to "fix" the conflict, but I realize that divestment assumes a very simplistic explanation.

Let's take notice of how incredibly complex the situation is and stop shifting the blame on solely one side in a way that will hurt both sides.

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