The human rights discourse and Israel: beyond victimhood and underdogs

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The political discourse of human rights is increasingly understood to be a significant and diverse focus for research and debate. In many ways, this discourse might be characterised in terms of a conflict between the claims made regarding the universality of human rights norms and the empirical contexts in which those norms are or are not applied. The stakes in the conflict are significant – the framework of human rights occupies a major space in the foreign policies of many powerful countries (largely in the West), plays a central role in the activities of international institutions, such as the United Nations (UN) and the International Criminal Court (ICC), and is the focus around which hundreds of non-governmental organisations (NGOs) operate. Allegations of human rights violations can have major costs for nations and individuals, including the threat of war crimes tribunals, different forms of international sanctions, and economic boycotts. Thus, the conflicts over the discourse used to define and analyse human rights obligations and behaviour, as well as the question of universality reflected in this discourse, have highly significant consequences.
For one school active in this debate, the political and social contexts are central – adherents trace the modern human rights movement to the broader wave of humanism, designed ‘to inspire a sense of the secular sacred among the new middle classes of a rapidly modernizing Europe’, in the nineteenth century. Later, according to this model, American leadership reframed the European approach, emphasising the political process of democratisation as a key element in the creation and defense of ‘human rights’. During the era of optimism regarding the gradual spread of liberal democracy, the expectation was that human rights and international law would accompany these political processes, not only in rhetoric and formal codification, but also in practice. However, when the expansion of democratic governance slowed, the multipolar distribution of power meant that a majority of despotic regimes control the agendas of human rights structures, as noted by Dershowitz and other critics. In this context, human rights is described as a function of this political context, reflecting the interests, strategies, and power distribution in the institutions that are seen as the arbiters of these norms. While the language of human rights may be universal, the actions of the institutions, such as the UN Human Rights Council, are highly dependent on interests and power.

In contrast, an opposing group views the human rights movement as an essential dimension of the human condition, with vibrant institutions and self-evident norms. In Richard Rorty’s words, we progress to the degree that there is ‘an increase in our ability to see more and more differences among people as morally irrelevant’. Tracing their claims to natural law, Donnelly, Forsythe, and many others argue that all human beings are inherently entitled to fundamental and inalienable rights, regardless of political context.

By the late twentieth century, it became abundantly clear that the rest of the world – Asia, Middle East, Africa, Latin America – was not going to follow Western rules concerning individual rights, especially those of women. A resulting shift occurred in which social science approaches to the problem began to replace legal/legislative ones. Post-modern and post-colonial self-criticism combined with assertion of ‘collective rights’ refocused the emphasis from the countries that violated human rights as a norm, to differentially holding accountable democracies that claim adherence to human rights norms. This has resulted, especially in the UN and the ICC, in a situation where a majority of despotic regimes control the agenda of human rights structures and turn them against democracies. As a result, while acting in the name of universality, these institutions ‘now function as self-perpetuating global structures … that mask their lack of democratic authority and systematic ineffectiveness’.

Among the main targets for criticism of the approach that demands adherence by democracies to human rights norms, regardless of context, Israel stands out. Assaf Meydani’s book illustrates the pattern well: even as he acknowledges the ‘large gap between the declarations that countries make about human rights and the implementation of them’. Treating the political contexts of human rights institutions as irrelevant, Meydani focuses on Israeli violations of their own principles as a case study that could be applied to ‘all democratic countries’.

It is within this context that the recent publication by Ron Dudai (‘Entryism, mimicry and victimhood work: the adoption of human rights discourse by right-wing groups in Israel’, The International Journal of Human Rights 21, no. 7 (2017)) can be examined. Dudai’s approach is consistent with the second school, as characterised by Donnelly and Meydani et al. Dudai focuses primarily on Israel, treating the issues related to this country’s policies with respect to the Palestinians as sui generis, rather than part of a wider spectrum related to norms in modern conflict situations.
His primary argument is that Israeli ‘right-wing’ groups imitate, seek to be included in, and to exploit human rights discourse in order to pursue a ‘right-wing’ agenda. The ostensible objective of this effort is to hijack the movement from within, defend Israel and undermine the Palestinian struggle for human rights.

Jargon aside – entryism, aggressive, colonial mimicry, mimetic isomorphism, counter-hegemonic strategy, etc. – the choice and reliability of evidence and the argument, to the extent to which it can be discerned, are highly problematic.

The weakness of the argument has two core dimensions. First, the reification of the ‘right–left’ dichotomy, as if (according to the medieval school of realists) repeated references to ‘right-wing’ designate a real and definable entity. Second, behind the academic format, this publication is primarily a polemic to disparage those with whom Dudai disagrees, or who criticise the positions that he professes. In the process, he repeatedly confuses academic analysis based on consistent definitions and research methodology with a political essay expressing personal opinions and ideological preferences. The differences between what Dudai identifies as ‘right-wing’ and what he considers ‘progressive’ or ‘left-wing human rights’ movements are so fundamental, that, for the author, the behaviour of one side can only be malevolent, and the other only beneficent. His binary model has no room for a more complex analysis involving non-polarised actors. In this paradigm, those who are not sufficiently progressive cannot possibly care about human rights.

According to Dudai, the ‘right’ falsely invokes human rights in order to undermine ‘left-wing human rights groups’, and their support of the Palestinian narrative. He rejects the analysis of groups like NGO Monitor and Blue and White Human Rights (primary targets) not because the criticism is invalid, but rather because they are, in his view, tribal, Israel-first, right-wingers, guilty of a mean-spirited defence of the extensive abuse conducted by Israel, the world’s ‘worst’ human rights violating state, while plotting to deny the real victims (Palestinians’) human rights.

To make his argument, Dudai must erase the extensive evidence of false claims professed by ‘left-wing’ groups that are working with reactionary anti-democratic forces. Thus support provided by Human Rights Watch’s (HRW) Sarah Leah Whitson for Gadafi’s transparently false ‘human rights reform’10 and the widespread legitimacy they have given to Hamas and the Popular Front for the Liberation of Palestine (which is closely linked to a number of ‘human rights organizations’)11 are two examples out of many that Dudai’s dogmatic argument ignores.

A look at his reasoning, both explicit and implicit, reveals the foundational beliefs:

(1) Israel is a major human rights violator and therefore justifiably the favourite target of the ‘left-wing human rights community’. Dudai apparently considers any criticism of Israel as inherently and automatically legitimate, regardless of evidence or lack of such, and regardless of rhetorical inflation, like comparing Israel to Nazis and accusing them of genocide. In contrast, Palestinians, as definitional post-colonial ‘victims’, cannot be accused of violating the rights of either Israelis or fellow Palestinians.

(2) In contrast, it is completely legitimate for Palestinians to accuse Israelis of violating their rights, regardless of the inaccuracy of the accusations. Victims have ‘rights’ that oppressors lack.
‘Genuine’ Israeli human rights NGOs, such as Breaking the Silence, B’Tselem, and Adalah are honest and accurate while the objective of groups such as NGO Monitor is to stifle them.

Thus, so-called ‘right-wing’ human rights groups such as NGO Monitor and Blue and White Human Rights (BWHR) are:

Motivated by frustration over what they perceive as the [Israeli] state’s periodic unwillingness to apply its full might against Palestinians and in aid of Jewish settlers, and they use human rights arguments in order to pressurise the state to activate its legal machinery in their favour.

In other words, these are extremist right-wing groups who want to force the oppressive state to oppress the Palestinians more than they already are, a claim that only makes sense where pro-Palestinian NGOs and even ruthless Palestinian governments are inherently imbued with virtue so that no criticism could possibly be valid.

Furthermore, Dudai refers to both groups as ‘government-aligned groups masquerading as independent civil society actors’ – invoking the use of the terms ‘GONGO – government organised non-governmental organisations’, ‘state marionettes’, or ‘phantom organizations’. Presenting no evidence of such affiliations (neither group receives state support), the label ‘right-wing’ is apparently meant to be taken as axiomatic and not requiring any proof – if the right-wing state appears to employ their research, they must be a state-run affair. With no sense of irony, the author does not consider ‘Israeli civil society’ groups with which he is aligned, and which receive most of their funds from foreign governments, as FONGOs or ‘foreign state marionettes’.

In this paradigm, good ‘progressives’ are weak (apparently by definition, certainly not according to budget), and the evil ‘right’ is very powerful. The process which he claims to analyse ‘is a case of powerful actors mimicking weaker progressive groups … “aggressive mimicry”: appropriating the discourse of a weaker progressive opponent while in fact fighting against the goals implied in such discourse’. In this conspiratorial construct, there is no room for democratic discourse or legitimate criticism of self-labelled progressives claiming the mantle of liberalism and human rights, even when they violate those principles in practice.

Instead, the not-so-hidden objective is to persuade the reader to automatically reject analysis by organisations such as NGO Monitor, or any of the other groups on his list, without bothering to read what they say. At the same time, Dudai, who is involved with a number of Israeli NGOs,12 embraces the main NGO claim to be doing the job of protecting human rights.13 He reinforces their ‘halo effect’, ignoring cases of the betrayal of the universal values to which human rights NGOs once claimed to adhere.14 In this framework, he erases the systematic misbehaviour exhibited by Breaking the Silence, B’Tselem, HRW, Amnesty International, and many more in ignoring violations that do not fit their agenda. The obsession over the alleged crimes of the ‘IDF’ and ‘settlers’ stand in sharp contrast to the minimalist campaigns of the human rights network, both local and global, in response to mass killings in Syria and elsewhere.

This agenda is tacitly justified as necessary to stop the ‘occupation’ at all costs, although among some of these faux human rights groups, dismantling the ‘apartheid Zionist project’ is often an accompanying goal. Dudai repeatedly invokes the false dyad of Left (anti-occupation) and everyone else (pro-occupation), for example, asserting that:
Groups from the Israeli right-wing – which supports the Occupation and its related policies – have also begun to deploy human rights rhetoric and attempt, in the words of Yoaz Hendel, one of the most prominent spokespersons of this trend, to ‘break the Left’s monopoly over human rights’.

The possibility that Israeli civil society groups can reject the Left, and not be Right or pro-occupation (a vague term for all but the most militant settlers), is apparently inconceivable.

The centrality of Israeli NGOs proclaiming human rights agendas in the political process can be traced to the late 1980s, in the form of protests, local and international advocacy, collection of ‘testimonies’ and litigation, focusing on alleged Israeli violations of Palestinian human rights in the occupied territories. These groups have come to play a prominent role in Israel’s political culture, and, at least in recent decades, the term ‘human rights’ has become associated in Israel almost completely with the anti-occupation cause.

Ending the occupation has become an obsession – writer Matti Friedman calls it a cult – which justifies any and all tactics. And the obsession has so preoccupied the activists that they systematically ignore all factors and dimensions that make ending the occupation so problematic and dangerous, in terms of wider human rights concerns. As a result, Dudai, like others, erases any comment on the blatant and chronic abuses within the Palestinian frameworks (the West Bank, under the Palestinian Authority (PA), and in Gaza under Hamas). The fear is that acknowledging and criticising summary executions, torture, attacks on journalists and other Palestinian violations (a ‘right-wing agenda’) would somehow offset the pressure of condemnations directed at Israel.

The case of Bassem Eid, whose Palestinian Human Rights Monitoring Group (PHRMG) is not mentioned by Dudai, is notable in this respect. In the 1990s, Eid worked for the Israeli group B’Tselem as an investigator, and reported serious violations of Palestinian human rights by the PA. Not only did he become the target of PA, but his employers at B’Tselem explained to him that as an Israeli organisation, it was their mission to criticise misdeeds by Israel, not by the nascent Palestinian government. This obsession with Israeli sins alone, and the deliberate ignoring of other sources of Palestinian suffering, reflects the classic moral narcissism of ‘not-in-my-name’: I don’t care what happens to Palestinians as long as ‘my side’ is not guilty.

The board of B’Tselem was divided over whether to support Eid’s work on PA violations of human rights. The faction led by Uri Avnery, who took pride in his personal relationship with Arafat, prevailed, and thus, for this flagship organisation, criticising the Palestinians for violating the human rights of their own people became anathema. In this way, turning a blind eye to Palestinian violations became a principle of ‘left-wing’, anti-occupation, human rights activity.

**Ideology and the UN version of human rights**

In terms of policy impact, one of Dudai’s main claims is that when ‘right-wing groups’ enter the human rights field, they try to protect Israel’s image and record through the UN human rights system, as well as other platforms relevant to the international human rights discourse.
Criticism of false or unverifiable allegations against Israel in the UN and the court of a public opinion, as well as of the disproportionate obsession targeting the Jewish state in these frameworks strikes him as self-evidently unacceptable. The illustrative example is the decision of Israel-based NGO Monitor to formally join the very system it had ostensibly decried as biased beyond the pale. This group, along with UN Watch (based in Geneva), is often considered the staunchest critic of the abuses inherent in the UN human rights system, and thus is a major focus of Dudai’s ire.

Beginning in 2013, NGO Monitor started applying for and, after numerous vetoes from members of the Organisation of the Islamic Cooperation – the UN’s largest voting bloc – eventually received ‘consultative status’ in the UN’s Economic and Social Council (ECOSOC). This status allows NGOs to take part in deliberations in bodies such as the UN’s Human Rights Council, and facilitated NGO Monitor’s visibility in the activities of UN bodies whose members, backed by the majority of powerful NGOs involved, systematically attack Israel’s human rights record.

In Dudai’s view, such visibility is – a priori – illegitimate and hypocritical.

The ‘pro-state entryism’ is demonstrated most powerfully by NGO Monitor’s practice of submitting ‘shadow reports’ to the UN human rights frameworks and the International Criminal Court. Shadow reports are among the most common and important tools of human rights NGOs; while governments submit their formal reports to UN human rights monitoring bodies, obviously seeking to portray a positive image, the practice of shadow reporting allows human rights NGOs to bring to the attention of these bodies independent and less flattering information and interpretation.

In actuality, NGO Monitor submits ‘shadow reports’ that criticise the fact-finding and legal analyses of the UN bodies and self-proclaimed human rights NGOs which (obviously) ‘seek to portray their efforts in the most positive light’. Unlike the standard NGO submissions, however, NGO Monitor submits shadow reports on the NGOs themselves. This allows NGO Monitor to ‘bring to the attention’ of human rights activists who really care about their values, the systematic biases and methodological failures of organisations like HRW, Amnesty International, B’Tselem, Adalah, etc., and instead ‘provide less flattering information and interpretation’.

Dudai disparages NGO Monitor’s reports because they fail to condemn Israeli responses to terror, and do not seek to counter Israel’s formal submissions. (Notably, Dudai does not discuss any examples, such as NGO Monitor’s submission to the Committee on the Elimination of Discrimination Against Women or a 2017 letter to the UN Human Rights Council on the mislabelling of ‘human rights defenders’ that forced a revision of Special Rapporteur Michael Lynk’s report.)

In contrast, he apparently sees nothing wrong with the myriad of pro-Palestinian NGOs claiming a human rights agenda to censure negative information about Hamas, or seek ‘in any way’ to question formal Palestinian submissions and positions. Indeed, the characterisation of ‘human rights’ NGOs that serve as proxies for a reactionary government’s human rights abuses is most apt for the Palestinians and their supporters.

Only by calling NGO Monitor ‘right-wing’, referring derisively to ‘entryism’ and avoiding any examples or quotes from the extensively documented research and analysis can Dudai seek to delegitimate an entirely legitimate form of criticism, from which no
The most cursory examination of the Palestinian ‘human rights’ organisations such as Al-Haq, Al Mezan, and Palestinian Center for Human Rights (PCHR) (as well as self-described left-wing Israeli ones) demonstrates that they are proxies for the PA and Hamas. The most recent example is the Hamas-linked Palestinian Return Center, which, supported by Organization of Islamic Cooperation member states, received ECOSOC status last year. These ‘human rights’ GONGOs and ‘entryists’ are not part of Dudai’s agenda, and are as such given a free pass.

NGOs and the battle over international public opinion

According to Dudai, relevant international public opinion is the second target of ‘right-wing human rights entryists’. Having, with highly dubious ‘data’, helped to establish an image of Israel as the perpetrator of monstrous war crimes and other violations, the human rights community now seeks to defend this achievement against any protest. Indeed, Dudai considers any protest, no matter how legitimate, no matter how based in serious analysis, as an illegitimate effort to protect Israel’s reputation.

One of the most effective tools used by Israeli NGO groups to reinforce this negative image is the dissemination of anonymous soldiers’ testimonies on human rights abuses, collected by Breaking the Silence (BtS). The threat, from Dudai’s perspective, is that groups like NGO Monitor, BWHR, My Truth, and Reservists on the Front, have documented the contradictions and methodological failures of these testimonies, undermining their credibility. Worse, ‘the right-wing groups discussed here have entered this field of activity as well: BWHR collected testimonies from Israeli soldiers on the positive moral behaviour of the Israeli army and disseminated them abroad to “protect Israel’s image”’. Dudai never considers the legitimacy of debating these issues and correcting false narratives – once again, his false left-right dichotomy cannot deal with complexity: Israel is wrong; any attempt to defend the country is right-wing and, ipso facto, wrong.

As a result of the serious challenges to BtS’s claims, as of 2016, volunteers no longer come forward and BtS has stopped producing new material, and instead, is turning to literary devices while striving to extract evidence of minor infractions from testimony that overwhelmingly indicts Hamas for its war crimes against its own people. For Dudai the rejection of BtS narratives and testimonies can only mean that right-wingers, devoid of any empathy, reject the Palestinian suffering that the left has courageously exposed.

A second allegation Dudai levels against the entryists concerns their practice of holding academic conferences and hosting human rights-minded delegations and groups from abroad, as well as experts in human rights and international humanitarian law (IHL). Apparently, this constitutes a corruption of these groups, whose main duty is to join in the chorus of condemnation of Israel and the Occupation, not to weigh the evidence. These ‘right-wing’ conferences and briefings, Dudai complains, argue that the NGOs preoccupied with Israel’s sins have no business advocating abroad or to non-Israeli audiences.

Left unstated is Dudai’s core concern to preserve the credibility of a one-sided and unverifiable narrative of ‘Israeli violations’, stripped of context, including Palestinian terror, and systematically presented to international audiences, preying on their ignorance, and creating or reinforcing demonisation of the ‘Occupier’. Thus, Dudai darkly warns, NGOs such as BWHR and the Israeli Law Center (ILC) ‘place a premium on hosting delegations from abroad to discuss Israel’s human rights record and present different
arguments and images than such delegations usually hear’. The right to address influential foreign audiences such as members of parliament and UN officials on these issues is apparently reserved for organisations that are affiliated with the left.

Furthermore, academic analysis and publications in the field of human rights are also presented as the exclusive property of the left. Dudai rails against the research of NGO Monitor (headed by Professor Gerald M. Steinberg, a co-author of this article).\(^{22}\) He claims that ‘NGO Monitor issued what it termed “Best Practices for Human Rights and Humanitarian NGO Fact-Finding”, a title which would look fitting in any genuine human rights circle, disguising its sole ambition to undermine the authority of independent human rights fact-finding’. Dudai apparently knows the ‘sole ambition’ of the authors better than the content of the work. He objects to the title of the book, but presents nothing of substance regarding its content, nor the fact that the respected Nijhoff Brill group published it.\(^{23}\) The contents include both theory and detailed empirical evidence, in the form of case studies in different armed conflicts around the world. It was presented by the authors and noted ethics Professor Asa Kasher in the series hosted by the library of the UN in Geneva, another point that would have offended Dudai, had he known about it.

Dudai’s third complaint is that human rights entryists use legal frameworks ‘to facilitate a critique of the Palestinian Authority and Hamas’. Thus, the ILC has submitted to the ICC prosecutor several complaints against Palestinians, including leaders of Hamas and the PLO (Palestinian Liberation Organisation). While the heading of their press release reads: ‘Israeli Civil Rights Center Files War Crimes Complaints in the International Criminal Court’, a statement which, like others cited above, would fit any genuine human rights campaign, the ILC has been clear that its main motivation is to deter the PA from approaching the ICC against Israel.

The alleged illegitimacy of this activity is difficult to fathom – in a democratic framework, courts are open to all, and must judge on the basis of universal criteria. Whether or not the motivation is ‘to prevent the Palestinians from taking Israel to the ICC’, complaints against Palestinian leaders are entirely legitimate. The attributed motivation rejects any form of legal action by those supporting Israel and regarding Palestinian war crimes, including by Hamas. Dudai offers a fine example of what Matti Friedman has described as the ‘cult of the occupation’ – Palestinians are sacrosanct victims whom one cannot criticise; Israelis are condemned sinners whom one must obsessively denounce.

**Which NGOs are proxy actors for governments?**

This returns us to the issue of GONGOs. The creation of government-sponsored human rights NGOs (GONGOs) to promote regime policy within international frameworks is a common tactic practiced by numerous closed, authoritarian regimes, including Libya under Ghaddafi, Russia, China, and, as noted above, Hamas. The UN system makes no distinction between independent groups and state creations, and the political process of gaining ECOSOC status is decidedly political, thus encouraging this process.

Dudai, expands the definition to assert, again without clear definitions or evidence, that in democracies, or at least in the Israeli case, what he declares to be right-wing organisations are also GONGOs. Such groups ‘act in practice as “proxy actors” for the government, based on the assumption that their message appears more credible coming from
NGOs than from the government, as well as their facilitated status within the human rights field.

This is tendentious on two grounds: on the one hand, the Israeli civil society organisations (such as NGO Monitor) that he attacks have no links to the government; and, on the other, his claim ignores the very clear links between Palestinian ‘civil society’ organisations and the political leadership (PA and Hamas). Groups such as Al-Haq, Al Mezan, Addameer, PCHR, Palestinian Return Centre and many others that use the language of human rights are openly proxy actors for Palestinian leaders.

The claim regarding the Israeli groups is based on a circular argument, invoking the NGO ‘boomerang effect’ by which ‘local human rights organisations which have limited ability to influence their own government turn to the international community, which in turn puts pressure on the local government – a pressure which the government finds harder to resist’. Since both the government and the civil society groups are alarmed by the ‘advocacy abroad by Israeli human rights organisations’, it must therefore be true that the NGOs are government proxies. He thus reduces parallel concerns and agendas shared by civil society and elected governments, common in democratic societies, to mere puppetry. The idea seems unthinkable to him, indeed impermissible, that Israelis who support human rights and back their country’s counter-terror policies, including exceptionally high standards found nowhere else in the region, might show alarm at the demonisation of Israel by ‘human rights’ NGOs in league with Palestinian GONGOs.

Instead of thinking the unthinkable, Dudai resorts to complex conspiracies, based again on imputed malevolent motivations:

The government’s attempt to curb the work of these human rights groups is one means to limit the potential of the boomerang effect; and the entryism can be seen as a second, complementary, means. Motivated by understanding that the human rights field should not be deserted and only attacked from the outside, these pro-government organisations enter the human rights field in a variation of a ‘hostile takeover’. Rather than simply attacking the legitimacy of the human rights international system, they seek to enter the field, dilute the voices of their opponents and subvert the field from within: to place themselves in a position from which they can intercept the human rights boomerang.

In other words, Dudai cannot imagine legitimate criticism of the ‘left-wing’ human rights claims, and therefore resorts to an explanation based on subversion. To support this tendentious explanation, he posits that (a) progressives who are the natural owners of human rights are weak opponents, (b) any criticism of them is an effort not to improve the fight for human rights, but to fight against it.

The claim that the global ‘human rights’ movement, embodied in the UN system, the ICC and NGO superpowers led by HRW and Amnesty is weaker than a few marginally funded local NGOs – NGO Monitor, BWHR, ILC, and PHRMG (now defunct) – is patently absurd. The global NGO network has vastly larger budgets, and commands the world stage in its alliance with journalists and the UN. This self-perception as the ‘weak side’ is parallel to the claim to be fighting for the ‘weak side’ in ‘Palestine’ – another entirely subjective and morally dubious claim.

The labelling of outlying NGOs as state proxies is further confused and contradicted by the claim that supposedly ‘right-wing actors in this category’ have a ‘political orientation which is radical and militant: these groups are more confrontational towards state agencies, willing to use or tolerate forms of violence against state actors and Palestinians,
willing to violate the law, and characterised by an anti-establishment stance, oppositional and hostile to the state. In theory, this claim would undermine the proxy label, while in practice, these alleged properties are apparently only found in two organisations, of which one, the Yesha Human Rights Organization, is defunct, and the other is far removed from any human rights activity. Dudai thus acknowledges that his primary targets (NGO Monitor and BWHR), cannot be force-fit into the expanded model, further confusing his theory. The only consistency here derives from Dudai’s imperative need to depict opposing NGOs as ‘right-wing’.

‘Politisation of victimhood’

One of Dudai’s favourite themes is the ‘politisation of victimhood’ – he uses the terms victim and victimhood 40 times and ‘underdog’ 11 times. As he acknowledges,

There is of course an extensive literature on victims and their rights, needs and often-contested status... This dynamic of ‘competitive victimhood’ has been a constant theme in the Israel-Palestinian conflict, described as ‘the greatest Jewish-Arab rivalry of all’: the competition over who is the aggressor and who the victim, who the overlord and who the underdog.

For Dudai and the ‘left-wing’ NGOs he supports, the issue is clear: Palestinians are the underdog, the David, Israel the bully, the Goliath. It is as if he had not read the very article he cites which warns about problematic tendencies in his kind of ‘victimology’.

The importance of blame may render victimhood contingent upon ‘blamelessness’, encourage hierarchies between deserving and undeserving victims and require the reification of blameworthy perpetrators.25

Ironically, this is a fine description of Dudai’s work who, following the victimhood dimension of post-colonialist ideology, portrays perceived underdogs (in this case, Palestinians) as necessarily blameless – lest one ‘blame the victim!’ – and reifies Israel as a blameworthy perpetrator.

A crescendo without content

Towards the end of the article, Dudai adds to the confusion, lumping very different and often opposing groups together in order to tar them all with the same ideological and political stripes. For example, he refers to ‘rightwing groups such as Honenu, Regavim or NGO Monitor, and high-profile lawyers such as Ben-Gvir’ – a category with no common denominator, other than in the author’s forced binary categorisation. This use of artificial categories, a well-known technique used by political agitators to foster guilt by association, is not part of the academic discourse.

By building on this false category, Dudai (14) paints research groups that so bother him, such as NGO Monitor, with the same colouring as Honenu and other ‘right-wing militants’, which ‘are often perceived by large segments of Israeli society and the media as unruly, immature and socially and culturally on the fringe of society’. If he had a case against the research groups, he would not need to resort to baseless categorisation.

Furthermore, in this concluding section, he undermines the core argument at the beginning of his article, admitting that both the Israeli government and the Israeli public resist
efforts to trample Palestinian rights. Although Dudai accepts this, he does not attend to its implications – that is, Israel is a human rights respecting culture and polity, while the Palestinian ‘victimisation society’ has nothing remotely resembling respect for human rights.

Indeed, if there is any value in this theory of human rights ‘entryism’ and ‘proxies for power’ it is to analyse Palestinian use of these techniques. Dudai writes that:

The use of human rights rhetoric can be part of a ‘stigma management strategy’, presenting such actors as idealistic political activists rather than violent criminals – as disciplined, dedicated and mature (as in, for example, keeping silent in interrogation). It allows capitalising on the perception of innocence and blamelessness produced by portrayal as human rights victims and the compassion and empathy created by stories of suffering. Self-construction as victims also enables groups to appeal for support from other groups which do not share the movement’s ideology.

This is precisely the technique used by the human rights left in promoting Palestinian political prisoners and ‘resisters’ such Marwan Barghouti.

Continuing to develop this comparative application of the theory, we noted Dudai’s acknowledgement that

All of these functions are crucial given that the majority of Israelis, regardless of their political stance, oppose violent attacks by settlers, and in particular attacks against IDF or police personnel. By deploying human rights discourse and manufactured victimhood these right-wing actors aim to shift attention from their deeds and move the spotlight from the suffering of their victims to their own alleged suffering, using ‘the offender’s claim to be the “real” victim.

In contrast, among most Palestinians, one finds no civil society institutions or human rights protest groups (as noted, the exceptional PHRMG is defunct), no courts, and no outside ‘scholars’ that resist or critique. In an environment that valued the application of universal human rights, in contrast to the exploitation of the language without substance, used for ideological combat against imagined enemies, true believers would focus their energies on the Palestinian use of victimhood to avoid human rights accountability. But if Dudai were to do that, he would fall under his own definition of a right-wing ‘proxy’ for the ‘oppressive’ Israeli state.

Notes


6. Ignatieff argues that human rights has become so much a humanistic creed in the West that it risks becoming a form of idolatry: Ignatieff, *Tanner Lectures*, 320–4.
7. Dershowitz, Rights From Wrongs.
11. Gerald M. Steinberg and Joshua Bacon, ‘NGO Links to Middle East Terror’, Middle East Quarterly 24, no. 3 (Summer 2017): 1–12.
13. This is very similar to the positions put forward by Nicola Perugini and Neve Gordon, The Human Right to Dominate (Oxford: Oxford University Press, 2015). Gordon, like Dudai, is a very visible NGO activist who uses academic platforms to attack perceived ‘enemies’, particularly NGO Monitor.
26. Note the parallel with New York Times Jerusalem Bureau Chief Jodi Rudoren’s tweet during the 2014 Gaza war, when the Foreign Press Office in Jerusalem exceptionally denounced Palestinian (Hamas) intimidation of journalists. ‘Every reporter I’ve met who was in Gaza during war says this Israeli/now Foreign Press Association (FPA) narrative of Hamas harassment is nonsense’, https://twitter.com/rudoren/statuses/498853892113719300. In dismissing
the FPA’s statement, based on extensive and disturbing evidence as the nonsensical Israeli narrative, she showed no awareness that she was, in this dismissal, promoting the Hamas narrative.

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