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# Germany, Israel's Security, and the Fight Against Anti-Semitism: Shadows from the Past and Current Tensions

<https://doi.org/10.1515/auk-2024-2002>

**Abstract:** The Gaza War is a watershed moment not only in the Middle East. It has also increased political divisions in Germany, where Israel's security and the fight against anti-Semitism are part of its historical legacy and political and moral identity. Incidents of anti-Semitism have increased dramatically, as have overdrawn accusations of it. An analysis of controversies about the definition of anti-Semitism, about the use of the term apartheid for the situation in the West Bank, of the BDS movement (Boycott, Divestment, Sanctions), and particularly the characterization of Israel as a settler-colonial state shows how difficult it has become to maintain a fair, honest, and frank discussion considering different points of view. The current crisis should be used as an opportunity for Germany to, on the one hand, face the unavoidable contradictions in its responsibilities stemming from the crimes of its Nazi past and, on the other hand, come to grips not only with Arab and Iranian terrorism and eliminationist rhetoric but also with the deficiencies in Israel's policies toward the Palestinians. Germany's new leitmotiv ought to be: 'Between the River and the Sea, Jews and Arabs should be free.'

**Keywords:** German Israel politics; reason of state; anti-semitism; BDS; apartheid; settler-colonialism

## 1 Watershed Moments and War Talk

Germany and Israel have both experienced major turns in their recent histories, important in the case of Germany and radical in Israel's case. Germany needed years before it accepted that the happy days after the East-West conflict had found an end in Russia's return to autocracy and imperial belligerence; an end which requires rebuilding its dramatically neglected military forces. *Zeitenwende*

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(watershed moment) was the term which Chancellor Olaf Scholz coined for this realization. Israel, always sensitive to the dangers of military weakness, was deeply shocked by Hamas' massive attack on October 7, 2023 – not only a diligently prepared military manoeuvre but also an extraordinarily brutal carnage with an obvious genocidal message. It brought home images of the Holocaust and the feeling that the country will never be the same again. All the more so, since it quickly became clear that Hamas' success had been made easier through serious errors by the Netanyahu government. Its major strategic error was to believe it could all at the same time: (1) control Hamas in Gaza through the blockade combined with allowing financial support from outside, granting permits of work in Israel, and calculated retributions against its rocket attacks; (2) normalize its relations with more Arab countries; and (3) colonize the West Bank through a continuous extension of settlements. This strategic miscalculation resulted in major tactical errors: ignoring indications of Hamas' preparations for the invasion and leaving the southern border stripped of military forces, which were diverted to the West Bank in order to protect settlers against unruly Palestinians (Benn 2024; Foreign Affairs 2023).

Both *Zeitenwenden* have a major effect not only in their respective regions but also worldwide. In wars, affective polarization is a quite usual phenomenon anyway and often problematic, although not always illegitimate: through collectivization (it is easier to hate collectives than individuals and also easier to hate them collectively) and through moralization between good and evil. Discourse is replaced by compulsions to confess and analysis by radical simplification (Pfeifer and Weipert-Fenner 2024). In Israel, where the majority either tries to ignore the reality of the occupation or agrees with it, many liberals who had been willing to see Palestinians not only as perpetrators but also as victims are now moving into the 'perpetrators only' camp (Klein 2023). Hamas, whose followers either excuse its obscene massacre and hostage-taking as an act of liberation or deny the reality of its atrocities or even their possibility, has increased its support in Gaza and even more substantially in the West Bank (El-Safadi 2023). The polarization is reflected not only in new animosities between the Global South and the West, but also *within* many Western countries: between the Left and the Center or the moderate Right; and also within the Left, which as a whole has never been as anti-Israel as it is now depicted not only by authors with traditionally favourable views of Israel but also by former leftists who have moved to the right (Kraushaar and Laudenbach 2023). Among Jewish intellectuals and between Israel and the Jewish Diaspora, a long trend of growing differences and alienation has been stopped for the moment by solidarity with Israel.

For many pro-Palestinian circles, Palestine is the ultimate theater of the fight against colonialism. In Germany, which feels special responsibilities for the security and well-being of its Jewish community and for Israel, this situation has created

particular strains; not to be compared with the burdens on Jews and Arabs suffering under the current war, but still serious. German Jews and Jews in Germany are disappointed by a lack of empathy with Israel in the light of Hamas' massacre and its rocket attacks, even if compensated to some degree by the recent mass demonstrations against right-wing tendencies, including anti-Semitism. The number of registered anti-Semitic offences has risen dramatically, and anti-Semitic prejudice is spreading among youngsters who receive their information from Tiktok (Marschall and Berendsen 2024; Wolff and Rosendorff 2024). Jews have been publicly insulted, and sometimes they are even attacked physically. Many Jews call Germany a new 'Angstland' (Becker et al. 2023). They don't feel secure anymore and often no longer show their Jewishness by wearing a kippa or speaking Hebrew in the street. Many slogans in pro-Palestinian demonstrations are at least ambiguous, if not overtly questioning Israel's right to exist. Even specialists on integration with sympathies for Muslim immigrants warn that Germany has for too long avoided addressing serious problems arising from strong patriarchal values in their families, leading to extreme nationalism, right-wing attitudes, and/or religious fanaticism (Balci 2024). Anti-Semitism in Germany is by no means just an imported evil, as the New Right suggests, but it is strong in Islamist circles whose foundational texts modernized traditional Islamic anti-Judaist sources and combined them with Nazi and other European anti-Semitic documents (Öztürk, Pickel and Pickel 2024).

The Palestinian community, one of the largest outside of Palestine, complains about structural discrimination and their often grossly insecure status, about forced confessions from German institutions against terror, about too much German tolerance of Israel's bombing campaign, and about a lack of understanding for the misery of the situation in Palestine under Israel's domination and repression (Kashua 2023; see also Atshan and Galor 2020). And among all artists, writers, and intellectuals in Germany, concerns have increased about infringements on free speech by the government, smacking of McCarthyism (see already Brumlik 2020). The German quality press has excellent correspondents in the Middle East who can be trusted by all its readers; but even in these papers, you can find the occasional aggressive comment against expert scholars trying to be fair to and critical of both sides (see, e.g., Krell 2023a).

In this article, I will embed the analysis of current tensions in the debates about German-Israel relations in a wider context, where I discuss structural problems arising from a mixture of opportunistic and genuine efforts at *Wiedergutmachung* (reparations) and *Wiedergutwerdung* (atonement). The fight against anti-Semitism (general and Israel-related) is of central importance in this connection. It works like a burning-glass, bringing into focus Germany's translation of responsibilities from its 'past' into reality. As will quickly become obvious, these translations are by no means self-evident; they are very controversial, in Germany *and* in Israel,

for both bad and good reasons – highly politicized and sometimes unavoidably contradictory.

## 2 Structural Problems in Germany's Relationship with Israel

### 2.1 *Wiedergutmachung* (Reparations) and *Wiedergutwerdung* (Atonement/Reconciliation)

The current Gaza War is controversial almost everywhere, but German discourse about it and about Jews, Israel, or the Palestinians more generally is special because it is strongly related to a much older and more comprehensive frame of Germany's history and identity. The Holocaust and the foundation of Israel were closely connected legally and politically, as were Germany's political reintegration into the civilized world and Israel's economic survival with the help of the 1952 Agreement of Reparation; an agreement based on harsh and strongly controversial pragmatism on the Israeli side and a realpolitic calculus on the German side. For post-Nazi Germany, which exonerated large numbers of its Nazi criminals and an even larger number of collaborators, *Schuld* (guilt) seemed to have been converted into *Schulden* (debts), whose payments were rewarded with amnesty and amnesia. Scores of assistants in the machinery of death were acquitted, a practice which went on until 2016. This was the first year in which a German court convicted a German citizen not for direct murder but for having been 'a willing and obedient subordinate' in the process of annihilation (Haufe Online Redaktion 2016).

For many years, the Nazi crimes before and during the war had been committed not by Germans but 'in the German name' only. Even President Richard von Weizsäcker, who called the end of World War II a 'liberation' from National Socialism in his famous speech of May 8, 1985, also said that the execution of the Nazi crimes had lain in the hands of a few (Leo 2021, 88–92). Far into the 1980s, basic German institutions such as big companies, the army (which used to be called *Wehrmacht* from 1935 to 1945), universities, or professional associations were considered to have remained 'clean' in the Nazi era. In their desire to protect Germany's past, professional historians even ignored or discredited early pioneering works by German Jews who had escaped to the United States (Corsten 2022). In post-war Germany, anti-Semitism was still so rampant that Chancellor Konrad Adenauer legitimated the (controversial) reparations with the necessity of appeasing Jewish influence in the United States (Marwecki 2024, 19).

All this seems long ago. Today, many analysts, including Jewish experts, congratulate Germany on an almost exemplary working through of its past (see, e.g.,

Neimann 2020). But this has created new problems. The Nazi crimes were singular; nothing compares with the Holocaust. Yet Germany's atonement was also singular. Critics say Germany is thus turning its history of Nazi violence into a new source of national energy and self-confidence (Czollek 2023a). In the beginning, Germany used Israel opportunistically as a cover for its criminal past; today, it uses solidarity with Israel as confirmation of a long but successful process of genuine purification. Its culture of remembrance is partly genuine, but it also shows signs of ritualization (Leo 2021). Max Czollek calls it a 'theater of reconciliation' (Czollek 2023b). At the same time, Germany is losing connection with Israel's reality (Iro 2023; covering the whole story in more detail: Marwecki 2024; Mendel 2023a).

## 2.2 Israel's Security and Divergent Reasons of State for Germany

Three weeks into the new Gaza War, Vice Chancellor Robert Habeck underlined in a widely noted speech about Israel and anti-Semitism that Israel's security was Germany's *Staatsräson* (reason of state). He thus confirmed a promise by Angela Merkel, which she had given Israel in a speech before the Knesset in March 2008. She had also said that for her, Israel's security was non-negotiable; yet her terminology was by no means obvious. Practically all states 'negotiate' their security; in international law, recognition is a mutual and collective process. And *Staatsräson* is not a useful term for a democratic society. The German constitution doesn't say anything about a reason of state; the dignity of all human beings is its fundamental principle. We can assume that both speakers wanted to confirm that supporting Israel's security was a German *Leitmotiv* and a central guiding motive of its foreign policy (the historical variance and ambivalence are discussed in Sonne 2013).

The problems of this *Leitmotiv* start with the question of the physical configuration of the state to be supported, which is a central problem for Israel's security and its full international recognition. The promise of protecting Israel has never included the West Bank or Gaza, nor the annexed East Jerusalem or the Golan Heights. But how does Germany differentiate in its practice between Israel and the occupied territories, or those already annexed or in the process of annexation? They go on with possible historical responsibilities for the Palestinians, too, as a consequence of Israel's foundation – a reaction to discrimination, persecution, and mass murder in Germany and Europe as a whole (see Gans 2011, 2016, and the Manifesto by German peace researchers of November 2006, reprinted in Meggle 2007 and discussed by Berenskoetter 2021; Krell 2023b). The slogan in many pro-Palestinian demonstrations, 'liberate Palestine from German guilt', often read as suggesting a removal of the Holocaust from Germany's relations with Israel, is actually meant as criticism of Germany's bias in favour of Israel and to the disadvantage of the

Palestinians (see also Roetz 2023, 27). And how does Germany solve the tension between the particularistic and the universalistic consequences of the Holocaust? The particularistic argument expects a strong German commitment against anti-Semitism and in support of Israel's well-being. The universalistic position favours a *general* German commitment to the protection of human and civil rights everywhere. Arab activists often complain that Germany always speaks in favour of human rights but does nothing against their grave violations in East Jerusalem, the West Bank, and Gaza (Bahgat and Dörries 2023).

An increasing chorus of prominent voices in Israel or in the Jewish Diaspora has been warning for many years that Israel's course of settlement expansion was dangerous not only for the Palestinians but also for Israel itself. The famous writer David Grossman recently said that Jewish settlement in the West Bank was 'a major catastrophe' not only for the Palestinians but also for the Jews (Grossman 2023). Already in 1988, he had written in a report based on a seven-week tour in the West Bank that it was idiocy to believe the occupation could be 'normalized'. It turned the matter of the territories from an immoral matter into an amoral matter: "It corrupts and anesthetizes us. One day we will wake up to a bitter surprise" (Grossmann 2018, 216). Today, dozens of reliable accounts from correspondents in Israel and the occupied territories demonstrate that the situation has worsened dramatically, particularly under the current right-wing government. Settler violence, mostly not prevented and often supported by the army, reaches dimensions of ethnic cleansing. David Shulman, a well-known Israeli indologist and an activist with Ta'ayush, a bi-national non-violent human rights NGO, has visited the West Bank regularly for many years. There, he and his Jewish and Palestinian friends try to protect Palestinian farmers and shepherds against radical settlers. He now fears a second Nakba, i.e., another expulsion of Arabs from the former Palestine (Shulman 2023, 20 and 22):

(The West Bank is under) a regime of state terror whose *raison d'être* is the theft of Palestinian land and, whenever possible, the expulsion of its Palestinian owners. I have seen this system in operation over the course of the past twenty-odd years. (...) The most telling change in the West Bank is the rapid proliferation of new settler 'outposts' (*ma'ashazim*), as they are called, usually inhabited by young men and women imbued with a messianic ideology, burning racist hatred of Palestinians, and a proclivity for extreme violence. (...) The outposts there, illegal under Israeli law, have proved to be an effective mechanism for taking over large stretches of Palestinian land; the settlers and their representatives in the government have made no attempt to conceal this explicit goal. The army and the police invariably side with the settlers, sometimes by passive acquiescence in their attacks, sometimes by actively taking part in them. Lately, settler violence has taken the form of large-scale predatory attacks on Palestinian villages – what I, in the light of my own family history, can only call pogroms. (...) The moral foundation of the State of Israel has been severely compromised, perhaps beyond repair, and exchanged for the horrific reality of the occupation, which is further entrenched with each passing hour.

Other analysts call the connection between the occupation and the decline of democracy in Israel itself a classical boomerang effect (Bartov 2023).

### 2.3 The Fight Against Anti-Semitism

In January 2018 the German Parliament decided to establish the office of ‘Commissioner of the Government for Jewish Life in Germany and the Fight against Anti-Semitism.’ In the meantime, 15 (of 16) federal states (*Bundesländer*) have created their own commissions for anti-Semitism. Five *Länder* also have commissioners with their chief public prosecutors. The central federal commissioner’s assignment entails coordinating governmental initiatives against anti-Semitism and the joint commission, as well as improving sensitivity for anti-Semitism via public relations and political and cultural education. In the debate about these new institutions, a number of arguments can be found for the why and the why now. Since anti-Semitic incidents had already been going up for some time, the Jewish community favoured them. The increasing numbers of refugees, particularly from Arab countries, and the rise of the new right-wing AfD (*Alternative für Deutschland*) were also major factors. Others believe it was Israel’s move to the right and its radicalization.

Five years of experience with these new institutions have not calmed the controversy about them. Critics with different backgrounds are warning, the commissioners were fed with information from pro-Israel NGOs, which searched the internet for potentially damaging information about invited speakers or candidates for honours and prizes. Again and again, people have been refused jobs in institutions supported by the government, are disqualified, or have prizes withdrawn, sometimes because they had once shown support for BDS years ago. Susan Neiman is one of several liberal Jewish intellectuals in Germany who emphasize the problematic side of the commissioners: “Things have changed really dramatically (...). I still think that Germany did something historically unique by putting its crimes at the center of its national narrative, but I also think it’s gone haywire in the last three years. This system of anti-Semitism commissioners basically went in all the wrong directions.” (as quoted in Kuras 2023, 6)

Even Jews may become the commissioners’ target. As Federal Commissioner Felix Klein told the *Berliner Zeitung* in an interview in January 2021, ‘Israelis in Berlin with a tendency toward the left’ should be ‘sensitive to Germany’s special historical responsibility’ when criticizing Israel. And Ahmed Abed, a Palestinian-German lawyer who has represented members of the Palestinian community, calls accusations of anti-Semitism levelled against his clients ‘a public execution’. There had never been anything like this before in Germany (Kuras 2023, 13). When asked how one could talk about Israel today without falling into the trap of anti-Semitism, Natan Sznaider – an Israeli sociologist and a regular commentator in German

newspapers – answered: one could not, the trap was always there; remaining silent was a possibility but no solution (Sznaider 2023). Improving sensitivity to false accusations of anti-Semitism is not part of the commissioners' responsibility.

## 2.4 Diverse Public Opinions

An important motive for the affirmation of official German solidarity is the general domestic dimension, since public opinion shows more reserve toward Israel and more balance in the Middle East conflict than the government. In a major analysis based on polls from the fall of 2021 with the telling subtitle *Zwischen Verbundenheit und Entfremdung* (between attachment and alienation), responses to the question of remembering the Holocaust split in the middle: only 43 percent were for a large or very large role in German politics, with the highest figure (67 percent) coming from supporters of the Greens. At the other end of the spectrum, 58 percent of FDP (Free Democratic Party) and even 81 of AfD supporters opted for only a small or very small role (Hestermann, Nathanson, and Stetter 2022, 31). Only 27 percent agreed with a special German responsibility for the State of Israel. In Israel's conflict with the Palestinians, 41 percent wanted to support both sides equally, and 30 percent were against support for either party. None of the respondents held a high opinion of the Israeli government; 43 percent thought it was bad or very bad. A relative majority even feared it gave Jews a bad name.

In a more recent poll after the Hamas attack, based on Germans eligible to vote in elections, responses were more moderate (ARD DeutschlandTrend 2023). German voters put most of the blame for the war on Hamas: 40 percent completely, and an additional 32 percent put more blame on Hamas than on Israel. The corresponding figures for Israel were 15 percent (fully responsible) and another 42 (also responsible). 35 percent considered Israel's military reactions adequate, 8 percent not strong enough, and 41 percent too strong. 25 percent thought Israel's military reaction was justified, even if civilians suffered from it; 61 percent did not support such military measures. A poll of the general population from late November by the renowned Institute for Public Opinion Research Allensbach essentially confirmed these trends (Köcher 2023). 35 percent agreed with Israel's military reactions, and 38 percent (more women than men) would prefer a more moderate approach. (In 2006 only 21 percent had accepted Israel's war against Hisbollah in Lebanon, while 53 percent had seen no justification at all.) In 2006, 31 percent had said Israel did not want peace anyway; the figure had come down to 17 percent in November 2023, when 37 percent agreed that Israel had no right to occupy Palestinian territory; the corresponding figure in 2006 had been 48. Still, in November 2023, 44 percent believed Israel did not do enough to improve the situation of the Palestinians.



In this poll, the great majority of Germans again favoured special relations with Israel, but the support for a special responsibility remained within the 30-year spectrum of 28–35 percent – 34 percent altogether, but only 21 percent among East Germans. 43 percent did not accept Chancellor Scholz's statement that there was only one place for Germany: on Israel's side – with only 18 percent agreement among East Germans, where 58 percent wanted far-reaching neutrality. Party affiliation was again a major factor here: most support came from the Greens, and least from *Die Linke* (a small party to the left of the Social Democrats) and the AfD. Support for weapons deliveries was extremely low in all groups, as always. Concern about anti-Semitism had risen from 19 percent in 2019 to 45 percent in November 2023, again less in East Germany than in the West. Responses to questions about demonstrations split in the middle and through all parties: 44 percent believed they should be cancelled if there was praise for Hamas and/or inflammatory rhetoric against Israel; 41 percent preferred freedom of speech as long as there were no actions against the law.

Public opinion is thus more heterogeneous and more independent than positions in the government. Party affiliation is important on many issues, most strongly on Holocaust remembrance, where the 'new' Right widely supports closing the matter altogether. Regional differences between citizens from the former German Democratic Republic (GDR) and West Germany have a strong influence on the willingness to support Israel's security and to take its side in the conflict with the Palestinians. But Germans are generally more cautious in their commitment, probably out of quietism and risk aversion rather than from pacifist attitudes. They also have more balanced views on the causes of the Middle East conflict in general, although they clearly condemn Hamas' attack and terror and do not deny Israel's right to defend itself. Yet they prefer more moderate military reactions. Overall, public opinion has improved in favour of Israel after October 7, 2023. This improvement may well disappear again in the course of the Gaza War, and the gap between public opinion and the German government is already significant and delicate.

### **3 Major Controversial Issues in the Debate About Anti-Semitism and Israel**

In an article from June 2023, Maram Stern, Executive Vice President of the Jewish World Congress, discussed the relationship between criticism of Israel and anti-Semitism, a highly politicized issue long before current events that has received a major push from the Gaza War. Stern discusses several relevant examples of recent controversies and pleads for more tolerance of divergent views (Stern 2023). Here is my own version.

### 3.1 No Unity in What We Are Talking About

There is no undisputed definition of anti-Semitism. The most widely used is the one adopted by the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016, which gives many examples and has a major focus on Israel-related prejudice (see European Commission 2021). By mid-2021, it had been accepted by 32 countries, including Germany. When Berlin Senator for Culture Joe Chialo became concerned about the vehement pro-Palestinian demonstrations in the capital in connection with the Gaza War, he proposed that artists applying for financial support by the Senate's Administration for Culture and Social Co-operation ought to sign a declaration that they accepted the IHRA definition of anti-Semitism. He was drowned in a public uproar and finally had to withdraw his suggestion (Zekri 2024). Most critics emphasized that the IHRA definition was too vague or too broad and thus open to abuse.

In a statement published on November 3, 2022, 128 scholars, including leading Jewish academics from Israeli, European, UK, and US universities, said the definition had been hijacked politically and urged the UN not to adopt it. And on April 20, 2023, 104 human and civil rights organizations, including Human Rights Watch and the American Civil Liberties Union, also warned the UN against it. Too often, it had been used to label criticism of Israel as anti-Semitic and thus chill or even suppress non-violent protest, activism, and speech critical of Israel and/or Zionism (as quoted in on Working Definition of Antisemitism 2024). In 2017, Kenneth Stern, who originally helped to develop the IHRA definition, had already warned in a Congressional hearing that right-wing Jews were weaponizing it. If refusing the Jewish people their right to self-determination and Israel the right to exist was considered anti-Semitic, he added, wasn't then refusing the Palestinians their right to self-determination and to their own state a kind of anti-Palestinianism? Would universities in the United States then not also have to put gatherings by pro-Israel groups under supervision or even sanction them if they argued against the two-state-solution or even claimed that a Palestinian people did not exist (Stern 2017)?

On March 25, 2021, a group of international scholars working in antisemitism studies and related fields published the 'Jerusalem Declaration on Antisemitism', which they regarded as a response and a supplement to the IHRA document (Jerusalem Declaration on Antisemitism 2024, preamble). They felt a need to protect a space for an open debate about the vexed question of the future of Israel/Palestine. Hostility toward Israel could be an expression of an anti-Semitic impulse, but it could also be a reaction to a human rights violation. Among the five examples of anti-Semitism provided, one is the application of the symbols, images, or negative stereotypes of classical anti-Semitism to the State of Israel. A second one

is holding Jews collectively responsible for Israel's conduct, simply because they are Jewish. The Jerusalem Declaration also gives five examples, and that is its most critical part for the German debate, which it does not consider as automatically anti-Semitic. It was not anti-Semitic, it says, to point out systematic racial discrimination by Israel. Even if contentious, it was also not automatically anti-Semitic to compare Israel with other historical cases, including settler-colonialism or apartheid. And boycotts, divestments, and sanctions were commonplace, non-violent forms of political protest against states. Thus, in the Israeli case, they were also not, in and of themselves, anti-Semitic (Jerusalem Declaration zum Antisemitismus 2024, point 14).

A simpler alternative to extensive guidelines is the familiar definition based on the three D's: demonization, delegitimation, and double standards. The problem here is that using these three D's is again not anti-Semitic per se; they can be directed against any country and would also be controversial in many applications (see Holz and Haury 2021, 17–18). Separating major issues may help to avoid unnecessary confusion or polarization. Classical anti-Semitism is actually very easy to observe and recognize: (1) individual or collective application of typical anti-Jewish or anti-Semitic stereotypes (i.e., Jews poison wells or kill children; Jews are disloyal, obsessed with money, false and devious, etc.); (2) demonization of Jews (i.e., grand and absurd fantasies about their power or their desire to harm others, particularly in conspiracy theories); and, most importantly, (3) violence against Jews because they are Jews. Denial of the Holocaust is an issue by itself and not necessarily anti-Semitic, although often closely related. And criticism of Israel may be highly unfair or one-sided, but it is again only anti-Semitic if combined with classical elements. Even the denial of Israel's right to exist does not have to be necessarily anti-Semitic, although it is empirically very often synchronic with radical or even murderous anti-Semitism.

### 3.2 Apartheid

One of the films awarded a prize at the recent *Berlinale*, a famous German film festival, was 'No Other Land', a documentary by the Israeli Yuval Abraham and his Palestinian friend Basil al-Adra. The film shows the process of destruction of the Palestinian family's home in the West Bank by the Israeli army and other attacks by aggressive and heavily armed settlers. In a brief speech to the audience, Abraham addressed the different legal systems and living conditions for his friend and for himself, which he called apartheid. He also demanded a ceasefire in Gaza and a political solution for the occupation. German politicians and journalists sharply criticized the *Berlinale* because several filmmakers had not condemned Hamas' attack or had opted for the Palestinian side in the Gaza War. Some also

characterized Yuval Abraham's use of the term apartheid as anti-Semitic (see, e.g., Minkmar 2024, in an otherwise more balanced article). In Israel, Abraham's family was attacked at home by a right-wing mob, and he had to cancel his return flight because he received death threats. Later, Abraham publicly condemned the German discourse about the film festival. Of course, what he and his friend had said could be criticized, but they should not be demonized. In Germany, the term anti-Semitism was abused appallingly, not only to silence Palestinian critics of Israel but also to silence Israelis like himself. As a descendant of Holocaust survivors, he considered the use of the term by German politicians against him particularly scandalous. If that was the result of German guilt-feelings, he did not want them (Frankfurter Allgemeine Zeitung 2024, February 29, 4).

In today's international law, apartheid is defined as inhumane treatment based on racial or other identity (see Asseburg 2022). Using this definition, the question of whether there exists an apartheid regime in Israel and/or in the occupied territories is discussed controversially, both in Israel itself and in the Jewish Diaspora. In an inquiry among Jewish Americans in 2021, 25 percent said Israel was an apartheid state – among those under 40 even 38 percent – and in a poll of qualified Middle East experts, 65 percent accepted the assessment that Israel had turned into a one-state-reality very similar to an apartheid regime (both quoted in Alterman 2022, 417). In the second half of 2023 close to 3000 academics, mostly Jewish and from the United States, signed a petition on the situation in Israel/Palestine, called 'The Elephant in the Room', in which they demanded changes in US foreign policy toward the Middle East conflict and in the way Jews in North America dealt with it. The petition severely criticized the situation in the occupied territories, which it called 'an apartheid regime' (Kampeas 2023; the petition is no longer available on the internet, the text is reprinted in Krell 2023a, 308–10).

Already in the mid-1990s, Ami Ajalon, Commander in Chief of Israel's Navy between 1992 and 1996 and then Director of Shin Bet, had criticized Ariel Sharon's settlement policy in the West Bank as follows: His tactic of steamrolling plantations and houses, annexing land, and enclosing the Palestinians in quasi-reservations like the South African Bantustans – disconnected areas surrounded by fortress-like extended Israeli towns and military no-go zones – would only leave persistent wounds, leading to more fanaticism (as quoted in Nusseibeh 2009, 449–50). In February 2002, Michael Benyair, 1993–1996 Chief Public Prosecutor during Jitzchak Rabin's second government, gave *Le Monde* an interview in which he said that if two people had neither the same status nor the same rights, where the Army protected the possessions of one and destroyed those of the other, and where segregation was inscribed into law, the situation could only be described adequately as apartheid (Benyair 2002). In a guest commentary for the *Frankfurter Rundschau* in 2022, Benyair confirmed this position (Benyair 2022). Several leading Israeli politicians,

among them Minister Presidents Jitzchak Rabin, Ehud Barak, and Ehud Olmert, had also warned against the prospect of an apartheid situation if an agreement for peace with the Palestinians and an Israeli withdrawal from the West Bank could not be achieved (Morganti 2016).

Today, international human rights organizations also use the term apartheid for the situation under Israeli occupation, e.g., in a statement by Human Rights Watch from April 27, 2021 (Shakir 2021). In early 2021, B'Tselem, the best-known Israel human rights organization, decided to characterize Israel together with the West Bank and Gaza as a single, differentiated apartheid system (B'Tselem 2021). And in February 2022, Amnesty International raised serious accusations of apartheid on a broad empirical basis, including Israel, the West Bank, Gaza, and even the Palestinian refugees (Amnesty International 2022, see also Asseburg 2022). Many analysts, including myself, would not characterize the situation in Israel itself as an apartheid regime. There is every-day and severe structural discrimination against Palestinians in Israel, but these kinds of inequalities can be found in many other democracies, not only in the United States but also in Europe. The situation in the West Bank is much worse and deserves characterization as an apartheid-regime, for which Israel is responsible. Non-Jewish Germans may decide to be careful with the term. But using it for the situation there is legitimate and definitely not anti-Semitic per se.

### 3.3 BDS

The controversy over BDS is even more vehement in Germany. Support for this initiative of boycotting, divesting, and sanctioning Israel, founded by Palestinian groups as a strategy of liberating Palestine, has officially been labelled anti-Semitic by a *Bundestag* resolution (Boycott, Divestment and Sanctions 2024). The resolution asked the federal government and all state and communal governments not to support the movement, either directly or indirectly. It is not legally binding, but many ordinary people, intellectuals, writers, artists, or activists in Germany, Palestinian civil society, or other groups from the Global South have already felt the consequences. Liberal Jewish intellectuals speak of a new form of McCarthyism, where people are accused of anti-Semitism because they once had contact with someone who knew somebody who was supposed to be a supporter of BDS (*Kontaktschuld*, guilty because of a connection; see Brumlik 2020, 170). Or they complain about a campaign by radical Israel-supporters who had never been in the West Bank and would never go there but tried to dominate the discourse with prejudiced and deranged moralism (Menasse 2023).

A prominent case was the forced resignation of Peter Schäfer, the renowned director of the Jewish Museum in Berlin. The reason for the pressures against him given by the conservative Central Council of Jews in Germany was a tweet by the

museum about a note in the *Tageszeitung* about a declaration of 240 Jewish and Israeli scholars arguing that BDS was not anti-Semitic (the *Jerusalem Erklärung*). The tweet was represented as a declaration of support for the movement, not only by the Central Council but also by NGOs and journalists specialising in the search for and raising alarm about assumed or potential BDS connections. A declaration of solidarity with Schäfer by 45 academic Talmud scholars from Israel and the United States could not save him (Brumlik 2020, 172). Critics suspected Schäfer had to go because he was considered too liberal for the conservative majority of Germany's Jewish community, which had taken particular issue with an exhibition in the museum celebrating Jerusalem as a city of many creeds and nations (Mendel 2023a, 91–92).

Again, in the case of BDS, a major part of the controversy concerns the question of whether a nonviolent boycott of Israel would be anti-Semitic under all circumstances or by definition. Certainly, there have been statements by BDS-supporters against a Jewish state in Palestine. These could be regarded as anti-Semitic, but that needed further indications. In any case, the option of a bi-national or a federal state of Jews and Arabs may be considered utopian, today even more than ever, but it would not be anti-Semitic (see, e.g., Boehm 2020). Another point in the discussion of legal arguments about BDS is whether the fact of individual anti-Semitism among its supporters justifies its general characterization as anti-Semitic. German courts, including the Federal Administrative Court, have refused to accept an across-the-board suspicion and ask for concrete anti-Semitic evidence before they accept demands for penalization, e.g., the prohibition to use premises funded with federal, state, or local government money (Zechlin 2020). These courts have also argued that fundamental rights such as freedom of speech could not be restricted by a Bundestag resolution.

There are also political arguments for a more relaxed handling of BDS. So far, BDS has only had very limited success. It did have one or the other political or economic big fish on its fishing rod, but these interested 'fishes' almost always quickly withdrew their promises of support. The central argument for a moderate approach to BDS, however, is its commitment to non-violence. Even if this is not always followed to the letter, it is still an important alternative for Palestinians, who may feel to have good (or bad) reasons for using violence in their fight against the occupation. BDS does not throw bombs! One should also keep in mind in this connection that Israel has restricted political activities in the occupied territories in many ways or puts them under a general suspicion of terrorism.

In Germany, an additional historical argument plays a major role in objections against the BDS-campaign, namely the Nazi boycott against Jewish retail shops in the 1930s; it is explicitly mentioned in the *Bundestag* resolution against BDS. But this comparison is highly questionable, if not pure demagoguery. BDS does not fight against individual small traders, but against Israel's occupation of Palestinian

territory. Thus, it does not boycott a small group of unarmed, peaceful, and politically powerless people living in a totalitarian state almost completely supported by the dominant and often racist majority without the slightest chance of effective resistance. Nobody can argue seriously that Israel was innocent in the conflict with the Palestinians. The countermeasures by Israel and by established Jewish institutions against BDS are massive and effective, often with quite unpleasant, undemocratic consequences (for the United States see Alterman 2022, 375–84).

One does not have to rejoice about BDS. Many activities of the movement or its supporters, such as the general boycott of Jewish artists or scientists, including opponents of the occupation, are politically stupid and also morally questionable. And, of course, Germans may come out strongly against specific positions or activities by BDS; individually, collectively, or institutionally (see also Holz and Haury 2021, 212–29). But if Germany really wanted to support Israel's security, it also needed to show understanding for the difficult situation of the Palestinians, which led to BDS. Meron Mendel, the director of the Anne Frank Educational Center in Frankfurt on Main, recently wrote (Mendel 2023b, 56)

As an Israeli and a Jew, I am certainly not happy to see how common resentments against Israel (and also against Jews) are among Palestinians. But then I remember that they have good reasons to hate Israel. People who have had to live under an occupation for decades or whose ancestors were expelled have a right to hate the occupying power, quite independent of its nationality or religion. No, calls for violence cannot be tolerated. Apart from that, I am reluctant to advise Palestinians about what they might be allowed to say and what not. A complete boycott of Israel may be totally wrong. But would it not be arrogant to prohibit people who live under a regime of occupation from raising such a demand?

In many American universities, about 10 percent of their Jewish students support BDS. Is it really up to Germany to decide, not only how Palestinians were allowed to fight non-violently against the occupation and the violation of their human rights, but also how Jews ought to stand with 'their state', in order not to be regarded as anti-Semites here?

### 3.4 Settler-Colonialism and Post-Colonial Theory<sup>1</sup>

#### 3.4.1 Israel and Post-Colonial Theory – Preliminary Remarks

Most controversial, particularly since the beginning of the current Gaza War, is the discussion about Israel as a colonial settler-state, the strongest argument for

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<sup>1</sup> Parts of this section build on Brumlik and Krell 2022.

many people, not only in the Global South, in favour of the Palestinians or even Hamas. In Germany, only a small, yet sometimes vocal minority supports this argument. Almost every day, German papers pour vehement criticism over anything looking like post-colonial theory, which is concerned with the endurance of colonial structures and the legacies of colonialism even after its official abolishment. This criticism is self-inflicted to some extent because many people shouting anti- or postcolonial slogans in the streets or in discussions are giving a modern scholarly tradition a bad name through simplification and dogmatization. The most relevant absurdity at the moment is the celebration of Hamas' attack on October 7, 2023, against Israel as an act of pure liberation. An older and also very ugly example is the characterization of the Holocaust as 'a white-on-white crime only' which thus needed not to be taken as seriously as white crimes against 'blacks', e.g., (see also Alfandari and Shohat 2022) – a deeply racist position. Limiting the problem of international violence to colonialism by 'the North' against 'the South' is just as dubious, analytically as well as morally. Figures for victims and destruction in the civil wars in Yemen or Syria or for the Iran-Iraq war are by far higher than figures for all Israeli-Arab wars together.

Most people would probably agree that the conflict between Jews and Arabs in and over Palestine is more than a typical ethnic conflict. The Jewish side can point to a historical connection to the region and to a continuous cultural reference to it, but over a period of almost two thousand years, it had no longer been a major relevant group residing in the area. Zionism, as a Jewish national movement, had to literally set foot again on the 'Much Too Promised Land' (Miller 2008) via resettlement. Processes of settlement from outside may have the support of the indigenous population if they are, for example, invited by their authorities for the fructification of the country or the colonization of unused land. And there were groups in Zionism who understood their settling activities in this sense. The larger Zionist groups, however, wanted to build their own state with a secure Jewish majority, and they had their way.

### 3.4.2 Zionism as Settler-Colonialism

At least one expert on anti-Semitism has argued that Zionism could not have been a colonial movement because the Jews never had a colonial mother country (Grigat 2020). But the early Zionists knew that, too, and thus decided to look for a major colonial power as a protector of their settlement project: colonization in the sense of the French term, i.e., the formation of a new society by changing the ownership and control of a territory through the partial replacement of its population (Shafir 2017, 53). Without the framework of international colonialism in the early 20th century, there would have been no basis for a Jewish-dominated state in Palestine – leaving



aside for a moment the fascinating practical efforts by the Jewish immigrants on the ground (both dimensions and the resulting dilemmas are described broadly and movingly in Shavit 2013).

The colonial dimension of the Zionist project was obvious to politicians and the general public in all major countries. A statement by Woodrow Wilson, the pro-Zionist president of the United States during World War I, shows how strongly representatives of the so-called advanced countries thought in categories of predominance over 'less civilized' nations. At a meeting with leading American Zionists in connection with the peace negotiations in Paris, which also had to decide upon the heritage of the Ottoman Empire, Wilson told Stephen Wise, the Vice President of the Zionist Organization of America: 'Don't worry, Dr. Wise, Palestine is yours' (as quoted in Davidson 2001, 21; more about similar reactions in Congress and the media in Krell 2023c, 232–52). And the early Zionists themselves knew that their project was a colonial one. Martin Buber considered Zionism a noble vision, but its realization in conjunction with the British Empire led to the colonization of Palestine, he said. Buber therefore wanted a bi-national state (Lapidot 2023). Wladimir Jabotinsky, the much more conservative and nationalist President of the Revisionists, a kind of precursor to Likud, had argued similarly in his famous article 'The Iron Wall' of 1923. It was impossible, he wrote, to get the Arabs to voluntarily consent to transferring Palestine into a country with a Jewish majority. History showed that clearly. There was not a single example of a colonization that the indigenous population had voluntarily submitted to. These, whether 'civilized or uncivilized', had always resisted fiercely. He also wrote that the land did not belong to those who owned it in large amounts, but to those who did not have any land at all. It was an act of simple justice to take part of the land away from those nations that were large landowners in this world and give it to homeless, wandering people in order to provide a refuge for them (Jabotinsky 1923). Micha Brumlik adds that Jabotinsky's harshness, free from illusions, only let him express what the Zionist majority parties, which he attacked, also knew but never said aloud (Brumlik 2007, 69).

The King-Crane Commission, set up by President Wilson toward the end of World War I in order to examine the Mandate question, had already, in 1919 come to conclusions similar to those of the Zionists quoted. To confront the population currently living in Palestine with unlimited Jewish immigration not only injured their rights but also the principles that the American President had presented in his 14-point program in January 1918; such as a people's right to self-determination. None of the British officers consulted in the Mandate area thought that the Zionist project could be pushed through without violence. The plan to turn Palestine into a Jewish Commonwealth should therefore be given up (Laqueur and Shueftan 2016, 23–25).

### 3.4.3 Qualifications

Zionism was (and, to some extent, still is) a special form of settler-colonialism, but by no means exceptional. One could even argue that most nation-states in the world arose from different forms of immigration and colonization: some less, some more violently; some, such as the United States, for example, reaching partly genocidal dimensions; some with assimilation or ethnic blending; others with strict separation and dominance. And in some nation-states, violent colonization or displacement of indigenous minorities living in densely forested areas still continues. A particularly interesting case is South Africa, where European settlers controlled and dominated the original African inhabitants based on an official doctrine of apartheid. After drawn-out and partly violent conflicts they finally gave up their apartheid regime; and both sides then created a multiracial democratic society.

In contrast to many other settler colonial groups, the Jewish immigrants were not interested in exploiting the indigenous population; quite to the contrary. In order to attract Jewish workers from abroad, Jewish landowners and other employers were obliged to hire only Jews and to pay them above market levels. Land was not just confiscated but – until the war of independence – bought from Arab landowners, then removed from the market and nationalized. For the coming into being of Israel, another ‘anti-colonial element’ was also important, namely the strong support by the Soviet Union for the UN’s plan of dividing Palestine – a great surprise for many contemporaries and a window of opportunity that would close again with the beginning of the Cold War. Czech weapons deliveries, which the Soviets had agreed to, were of elementary importance for the just-founded Israel against the Arab military intervention. Because the Jewish immigrants had violently turned against the United Kingdom’s friendly relations with the Arabs toward the end of the Mandate period – the British had even withdrawn their support for a Jewish state – Zionism had changed from an instrument *of* imperialism to one *against* it in Soviet eyes – at least for the moment. It should also be remembered that Israel was viewed quite positively in its early years by many people in the ‘Global South’.

### 3.4.4 Conclusions

As Chaim Gans convincingly argues, Zionism was, in the context of the history of nationalism, a legitimate strategy of national liberation and survival against anti-Semitism, structural discrimination, and violent persecution. Even the decision to ‘return’ to Palestine was at least understandable. The central problem of this project was, of course, that Palestine was not a country without a people for a people

without a country. When, after the first Zionist Congress in Basle in 1897, the rabbis of Vienna had sent two representatives to Palestine in order to study the situation there, they cabled back: “The bride is beautiful, but she is married to another man” (Shlaim 2000, 3). That is why the Palestinians deserve forms of compensation, because in the end, they had to give way for a Jewish state in a major part of their original territory. This compensation would have to come from those who were originally responsible for these developments – not only Zionism and Israel but chiefly the Europeans (Gans 2011, 2016).

Of course, the Holocaust needs to be mentioned as another major factor besides the Zionist strategy of national liberation via settler-colonialism for the origins of the Israeli-Palestinian conflict. The catastrophe of the Holocaust led to an almost complete turn in favour of the Zionist state-building project, not only among Jews but also worldwide. The majority of the UN-members voted against the option of a unitary Arab state with a strong Jewish minority – an option also discussed. The Arab side was outvoted, which can be seen as a problem in itself, but UN support in this particular dramatic case gave Israel important legitimacy compared with other nations based on settler-colonialism. As John Foster Dulles, later US Secretary of State under President Eisenhower, told the Lebanese delegation at the UN during the negotiations (as quoted in Schoenbaum 1994, 10): “The American people and the government were (...) convinced that the establishment of the State of Israel was a historical necessity. This involved certain injustices to the Arab world.”

With the vote on the division of Palestine, a civil war-like conflict started, and even before the intervention of Arab army formations and volunteers, around 300.000 Arabs had left their home country or had been expelled (Morris 2008, 63–65). Israel has stood its ground in several wars and achieved additional legitimacy through the integration not only of thousands of Holocaust survivors but also of about 800.000 Jewish refugees from Arab countries and Iran. Yet it has not succeeded in laying its conflict with the Palestinians to rest.

To a large extent, the basis of this conflict is still controversy about a scarce good, i.e., politicized land and living space. And this is Israel’s part in driving the dynamic of the conflict, encouraged by the neo-Zionist combination of radical nationalism and messianic religious fundamentalism. Very often, the Israeli public is not even aware of the occupation of Palestinian land anymore, which is considered a legitimate continuation of building a national state via settler-colonialism (see, e.g., Bar-Tal 2023; Shafir 2017). Dan Diner has recently suggested that Israel’s confrontation with the Palestinians could be solved more easily if it were just a national conflict. While it may have had colonial origins, it would have developed into a purely national one if there wasn’t the continuation of its colonial history through the ongoing colonization of Palestinian territory via settlements under a regime of occupation. These activities, highly questionable in themselves, would

also recall the conquests of the pre-State period and thus unnecessarily invite more general objections to Israel's new status as a nation, namely its colonialist character, which invited demands for a general decolonization and, in its most radical form, included the elimination of the state of Israel (Diner 2024; see also the older fascinating comparative study of processes of decolonization by Lustick 1993).

## 4 Perspectives

Recent developments in the Middle East amount to a watershed moment not only in the region itself; they also require a rethinking of Germany's attitude toward the conflict. The chances for a peaceful solution seem to have become smaller than ever: violent anger on both sides has reached new extremes, and mutual trust has come down to zero. Yet ironically, as Martin Indyk, one of the foremost experts on the issue, argues, we are also witnessing a "strange resurrection of the Two-State-Solution" (Indyk 2024; see also Zimmermann 2024); and that, although both sides moved away from it since they failed to translate it into an agreement in the 1990s or in 2000 and even less successful attempts later. Indyk mentions several reasons for this resurrection. One is that the costs of the conflict's continuation have never been as obvious as presently. A second point is that all other possible solutions have already failed or are even less plausible. A third point concerns the role of the United States. While they are no longer as influential in the Middle East as they used to be, their need to do something in order to protect Israel successfully has become even more urgent. The US also has stronger leverage over Israel now, which has become more dependent on its military and financial support. Finally, if Israel wants to come back to its strategy of making peace with more Arab states, it will now have to offer them more of a solution to the Palestinian question.

Germany can and should use this situation as an opportunity to practice a more credible friendship with Israel, in which it discusses more openly Israel's current military strategy in Gaza, the conditions for a successful long-term security strategy, its strong reservations against offensive nationalism and messianic religious fundamentalism, and its general responsibilities toward human rights and liberties, including those of the Palestinians. If Germany was really interested in Israel's security, it would now call for an immediate break in Israel's military campaign in Gaza and also a complete stop in the settlement process, combined with an appeal to Arab nations, the USA, and the EU for international negotiations about the future of Gaza and the West Bank.

On the problem of anti-Semitism, my recommendation may also seem paradoxical. Germany should take anti-Semitism more seriously: (1) react strongly when

it is obvious and (2) not abuse it for political games, which not only endanger freedom of speech and trust in controversial but honest discourse (an encouraging example are Kermani and Sznajder 2023) but also weaken the credibility of its original purpose. As the experience with earlier periods of increasing anti-Semitic offences shows, fast and hard reactions against physical attacks or other threats to life or liberty and against aggressive hate speech can be very successful (Knabe 2023). On the other hand, Germany should be more tolerant of controversial verbal comments on the Israeli-Palestinian conflict. I hope to have shown that there is a lot of room for legitimate diversity and critical analysis. Some of the money spent on watchdogs for officially acceptable positions could easily be transferred in favour of more effective action against the really serious problems mentioned. As an appropriate slogan for demonstrations, I suggest: ‘From the River to the Sea, Jews and Arabs shall be free’, which should also be the new leitmotif for Germany’s relationship with Israel.<sup>2</sup>

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<sup>2</sup> I thank the editors and Muriel Asseburg for comments and suggestions and Heike Buerschaper for checking my English.

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