

UPDATE: U.C. Berkeley student president vetoes divest-from-Israel resolution

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U.C. Berkeley student Will Smelko, president of the Associated Students of University of California, vetoed a resolution March 24 that urged U.C. divestment from two companies that supply war materials to Israel.

The latest decision has pro-Israel groups around the Bay Area urging its constituents to help sustain the veto, which could be over-ridden at the next student senate meeting, scheduled for either Wednesday, March 31 or early April.

The ASUC student senate approved the resolution — deemed "anti-Israel" by many on campus, in the local Jewish community and beyond — on March 17.

In essence, the resolution targets the university's reported investments of \$135 million in two U.S. companies, General Electric and United Technologies, that supply Israel with electronics and weapons.

The resolution pinpoints Israel as a perpetrator of war crimes throughout its 12 paragraphs, but before the final vote, a one-sentence amendment was tacked onto the end of the document. It noted that "this committee will recommend additional divestment policies" in places where companies are "aiding war crimes," citing Morocco and the Congo as two examples.

In a statement explaining his veto, Smelko said that in an effort to maintain campus unity and peace, "the perception of the bill as a symbolic attack on a specific community of our fellow students and/or fears of the bill being used as a tool to delegitimize Israel cannot be understated."

He also stated that the resolution failed to list effective divestment strategies for the university and the U.C. Board of Regents or examine the possible financial effects on U.C. and ASUC. Coming up with recommended divestment strategies would call for "substantial scrutiny and deliberation," Smelko said.

"While the ASUC as a body has stated convincingly that it does not want ASUC and U.C. dollars going to fund weapons, war crimes or human rights violations, this veto has to do with the mechanism by which the ASUC achieves its mission of building peace and goodwill in a way that avoids the shortcomings of the bill (a selective, one-sided focus on a specific country that lacks important historical context and understanding)," Smelko said in the statement.



Some 200 people packed a room in U.C. Berkeley's Eshleman Library for a controversial student senate meeting last week. photo/courtesy of sandra cohen

More than 200 people attended a boisterous and contentious student senate meeting that began at 7 p.m. on March 17, with the resolution introduced on the floor around 9:30 p.m.

Speakers for and against the resolution voiced their opinions until approximately 2 a.m., and about half of the original attendees remained when the final vote, 16-4, was announced around 4 a.m.

"There were loud cheers on one side and tears on the other," said Rabbi Adam Naftalin-Kelman, executive director of Berkeley Hillel. "Most who spoke in opposition felt incredibly defeated."

Sandra Cohen was one of the four members of the Associated Students of the University of California senate who dissented. She voted no after her proposed amendments, including one to remove Israel as the specific perpetrator of war crimes from the resolution, were rejected.

She said she was one of two Jews who voted against the resolution.

"The authors [of the resolution] told me it would take the meat out if you don't mention Israel," the 20-year-old sophomore said. "It was clear that this was not about war crimes. It was about Israel."

She added: "I was really let down by the student government. They are supposed to represent all students and approve resolutions for the general welfare of the student body."

When asked why the original resolution mentioned only Israel, co-author Tom Pessah said it was "easier to focus on these two companies," adding that the research to find them took him and the student-run U.C. Berkeley divestment task force months.

"Any political issue ultimately involves singling out," said Pessah, a Jewish fifth-year sociology graduate student and native of Tel Aviv. "We don't feel we can deal with all the issues all the time. If students want to do more, there are ways to take a stand. But our hands are full."

In practical terms, the resolution had no implications, other than allowing the ASUC senate to voice its opinion to the university and the U.C. Board of Regents, which holds the purse strings.

According to the resolution, "the ASUC will further examine its assets and U.C. assets for funds being invested in companies that a) provide military support for or weaponry to support the occupation of the Palestinian territories; b) facilitate the building or maintenance of the illegal wall or the demolition of Palestinian homes; or c) facilitate the building, maintenance or economic development of illegal Israeli settlements on occupied Palestinian territories."

As with other divestment pushes, supporters of the measure contend that the investments enable Israel to commit atrocities and war crimes.

"We're not just making some blanket statement to say Israel is bad," said Pessah, a board member of the U.C. chapter of Students for Justice in Palestine. "We think war crimes were committed and economic activism can potentially be an effective tool in limiting harm to civilians in Gaza."

Opponents claim that Israel is singled out for unfair treatment.

"The bill claims to 'not be taking sides,' but by exclusively focusing on Israel it does just that," the S.F.-based Jewish Community Relations Council noted in an e-mail about the vote. "The only country accused of committing war crimes in the bill is Israel; the only country being divested from in the bill is Israel."

Naftalin-Kelman pointed to the divisiveness of the resolution and called it a "sad statement about what the student government is doing."

He added: "It's not representing or supporting the interests of the students on campus. In no way are the interests of Israeli and Palestinian people served by a resolution that single-handedly and inaccurately identifies Israel as a committer of war crimes."

The passage of the resolution caught the attention of national Jewish organizations such as the Los Angeles-based Simon Wiesenthal Center and Hillel: The Foundation for Jewish Campus Life, headquartered in Washington, D.C. Both issued statements denouncing the actions of ASUC.

"The decision calling on the university to divest from several companies doing business with Israel is one-sided, divisive and undermines the pursuit of peace," Hillel President and CEO Wayne Firestone said in a statement. "We applaud the pro-Israel students from across the ideological spectrum who stood up courageously in the face of provocation to oppose this measure."

Famed attorney and author Alan Dershowitz, in conjunction with StandWithUs/Voice For Israel, also provided a statement.

"Divesting from Israel is immoral, bigoted and if done by a state university, illegal. It encourages terrorism and discourages peace," Dershowitz wrote. "We will fight back against this selective bigotry that hurts the good name of the University of California."

Meanwhile, Jewish Voice for Peace, an Oakland-based group that supports Palestinian self-control of the West Bank and Gaza Strip, issued a statement congratulating the student senate on what it deemed a "historic vote" and a "much-needed victory."

"The resolution is very much in line with Jewish Voice for Peace's current campaigns to support divestment from companies that profit from the Israeli occupation," the statement said. "We draw inspiration from this victory and think that many people around the world, including Israelis and Palestinians who struggle every day to make democracy and equality a reality, will also take heart and redouble their efforts."

This is not the first time a university's student body has proposed and, in some instances, adopted a similar divestment resolution, according to Stephen Kuperberg, executive director of the Israel on Campus Coalition in Washington, D.C.

However, he noted, no university in the United States has ever divested from Israel. Moreover, he added, no resolution passed by university students has ever had an actual effect on any company with business ties to Israel.

In fact, he said, the adoption of such resolutions has often triggered a "call to engagement" among pro-Israel students.

"It tends to inspire and rally the local community to further action," Kuperberg said, "which is the right thing to do."