

Palestinian-Israeli Incitement Can and Should Be Curbed, Especially Now

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Brief Analysis

Incitement by Palestinians and Israelis against each other should be penalized rather than explained away or dismissed.

The omnibus spending bills just passed by the U.S. Senate and House of Representatives include one obscure yet potentially significant provision on the issue of incitement in the Israeli-Palestinian arena: a reiteration of the requirement that the Palestinian Authority (PA) act to end its official incitement against Israel as a condition for continued U.S. funding. This provision should be enforced, not evaded as has been the case until now.

Funding need not be cut completely, which might jeopardize both Palestinian and Israeli lives if security coordination suffered as a result. But a meaningful concrete penalty for official incitement, by either side, should be imposed. In addition, as the PA prepares to take its case to the UN Security Council this week, the United States should raise the problem of incitement in that discussion, and work to incorporate clear and binding language against incitement in any eventual Security Council resolution. These are among the few U.S. tools to demonstrate real determination to fight this evil and deter its all too frequent recurrence.

Laws Against Hate Speech and Incitement

Ignoring incitement is contrary to previous official commitments by both the Palestinian and Israeli governments, sound U.S. policy, and even U.S. law. The very first Oslo agreement, for example, committed both parties to cease "hostile propaganda" against each other. Although even the most odious hate speech -- unless that speech directly instigates violence -- is protected by the First Amendment under U.S. law, existing U.S. policy and precedent endorse measures against official hate speech. For example, a formal U.S. proposal to the Office of the UN High Commissioner for Human Rights in 2010 urged all governments to "speak out against intolerance, including advocacy of national, racial, or religious hatred that constitutes incitement" -- and to censure government officials who practice it. In line with this policy, U.S. secretary of state John Kerry made this statement after five Israelis were

murdered in a synagogue by Palestinians last month: "The Palestinian leadership must condemn this and they must begin to take serious steps to restrain any kind of incitement that comes from their language, [or] from other people's language."

Moreover, there are major precedents in international law for prosecuting the most egregious form of incitement -- incitement to genocide. Since the Nuremberg Trials after World War II, and on through the Yugoslavia, Rwanda, and other more recent tribunals, senior government officials have been tried, convicted, sentenced to long prison terms, and even executed for this crime -- even if they never directly committed or ordered any act of violence themselves. In one incident widely circulated on the Internet last week, a Palestinian sheikh at the al-Aqsa Mosque in Jerusalem openly urged the assembled to "slaughter all the Jews without mercy, every last one." This kind of hate speech deserves formal international condemnation and punishment. That is all the more relevant as the PA has now obtained enhanced legal standing in the International Criminal Court.

Recent PA Incitement

Unfortunately, Palestinian president Mahmoud Abbas and his government continue to send mixed messages in this regard. Abbas condemned the Jerusalem synagogue murders, but just a few days earlier he had personally eulogized the terrorist who shot and almost killed another rabbi in Jerusalem. Official PA and ruling Fatah Party broadcasts, newspapers, and social media continue to glorify such terrorists, and to spread dangerous blood libels about nonexistent Israeli threats to the Al-Aqsa Mosque. And the PA still pays substantial stipends to terrorists convicted for murder, along with their families. The Hamas government of Gaza is predictably even worse, proudly displaying images of meat cleavers dripping blood as the way to "liberate al-Aqsa." Yet that is the government Abbas still nominally insists he wants to unite behind, even now.

Counterarguments Considered

Some who minimize the importance of incitement, such as University of Maryland professor Shibley Telhami (in a December 5 *Washington Post* op-ed), claim that it is "the wrong explanation" for violence, because it merely reflects a "deeper problem." Yet almost in the same breath, Telhami concedes that "incitement can make matters worse." Indeed -- so why not also address the problem of incitement directly? Similarly, he argues that incitement "is rarely a primary cause of violence." Even if that were true, should we not work to mitigate a secondary cause of violence? One wonders if Telhami would make the same case for overlooking the vicious video propaganda of the Islamic State of Iraq and al-Sham (ISIS), for example.

Telhami and like-minded advocates argue further that leaders' words have limited impact on popular attitudes or actions, particularly in this age of social media. Again, even if that were true, limited positive impact from leaders would be better than none at all. At a minimum, even if they cannot bring themselves to offer positive messages of reconciliation, or restrain others from incendiary words, they should refrain from hate speech and incitement themselves. Moreover, in the specific case of the PA, leaders do have the legal and practical ability, not just the moral duty, to stop the incitement regularly promulgated by their own senior colleagues and in their own government-controlled media.

Other observers correctly note that, in the Israeli-Palestinian context, both violence and incitement tend to rise as hope for peace declines. Yet the causal connection works both ways, creating a vicious circle: hopelessness about peace is deepened by incitement, which in turn causes more incitement, and so on. Research over the past several years, including extensive surveys and interviews on both sides, reveals that inflammatory rhetoric plays a direct role in convincing each side -- on both the official and the popular level -- that the other is not a reliable partner for real peace. The evidence is arrayed in a monograph published a year ago, *Beyond Words: Causes, Consequences, and Cures for Palestinian Authority Hate Speech* (<http://www.washingtoninstitute.org/policy->

analysis/view/beyond-words-causes-consequences-and-cures-for-palestinian-authority-hate-s). Curbing such official rhetoric would help reverse this unfortunate trend, making it at least somewhat more feasible to address the underlying issues.

Israeli Incitement Also Culpable

This assessment applies as well to Israelis. While incitement by Israeli officials is the exception, and is usually repudiated by the government, hate speech and hate crimes by extremist settlers and others are all too common. More serious Israeli measures against that, Palestinian polls demonstrate, might help persuade the Palestinian public (and perhaps the PA) to support a return to peace talks instead of pursuing outside pressure against Israel. But neither side's transgressions can be excused or covered up simply by saying, "Well, the other side does it too." That is an argument more worthy of kindergarten than of serious policy analysis and prescription.

Any instances of official Israeli incitement should therefore also be censured and penalized. During the election campaign already under way, such outside censure could potentially be seen as interfering in Israel's internal democratic processes. But that risk is worth taking for the sake of a more balanced and effective stance against the dangerous phenomenon of hate speech by political leaders -- even, or perhaps especially, at such a delicate time.

Past Success Sets an Example

Fortunately, curbing incitement is not a lost cause, even as the conflict continues. In 2005, to cite but one instance, U.S., EU, and even UN pressure and funding incentives greatly contributed to a significant reform of Palestinian textbooks. The result, documented in a recent major Yale University study led by experts from both sides, was that the worst forms of anti-Semitic demonization were removed from those textbooks -- even if their content remains 85 percent negative about Israel, Israelis, or Jews. By comparison, the same study found that textbook content in Israel's mainstream secular or national religious schools is evenly split between positive or neutral versus negative messages about Palestinians, Arabs, or Muslims -- although ultraorthodox textbooks used by about one-fifth of Israel's schoolchildren are much more negative toward "the other."

Policy Implications

Even if incitement cannot be totally ended, and even in the absence of agreement on other issues, there is ample room and ample reason for progress in curbing destructive and inflammatory rhetoric -- especially from official sources. It is a tough task, but avoiding it risks making things even worse. The current Israeli election campaign gives both Israelis and Palestinians a fateful opportunity to lower the rhetorical temperature, and thereby convince each other that peace is still possible.

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