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Courage to Refuse

GUY GROSSMAN AND RAMI KAPLAN

In January 2002, a group of 51 Israeli reserve combat officers and soldiers published a “combatant letter” to the Israeli public declaring, “We shall not continue to fight beyond the 1967 borders in order to dominate, expel, starve, and humiliate an entire people.” This act, later known as the Courage to Refuse movement, was nothing less than a political and social earthquake, shaking up the dormant Israeli public and apathetic media, as well as bringing unprecedented public attention to the issue of the occupation. In a 2004 interview with *Haaretz*, Dov Weisglas, senior adviser to Prime Minister Ariel Sharon, pointed to the clamorous refusal movement as one of the main factors pushing Sharon toward determinate actions. According to Weisglas, the emergence of the refusal movement (together with the Geneva initiative and the economic recession) made Sharon understand the necessity of meaningful concessions in order to secure the unity of Israeli society.

Ironically, by the time Weisglas gave his famous interview, the refusal movement was no longer able to gain media access. The months leading to the execution of the Gaza pullout marked the public downfall of the refusal movement. Reserve and conscript soldiers continued refusing to serve in the Occupied Territories; although the movement is still able to offer them personal legal advice, financial assistance, and psychological aid, the movement is not currently able to play an important public role.

Courage to Refuse was not the first Israeli movement to make public an act of military refusal. In 1982, when Israel invaded South Lebanon, a group of Israeli soldiers—later known as “Yesh-Gvul,” the Hebrew phrase for “there is a limit”—publicly protested, maintaining that there was a limit to obeying orders when the lawful borders of their country were not being threatened. The Yesh-Gvul movement struck a cord in Israeli society, resonating with the growing civil protest against a war deemed unnecessary and very costly to Israel. From then on, it became clear to the Israeli government that unnecessary use of military force would run the immediate threat of massive disobedience.

From 1987 to 1993, following the eruption of the first Intifada, the Yesh-Gvul refusal movement reemerged, assisting soldiers that refused to take part in the brutal suppression of the Palestinian popular uprising. In all, 200 members of Yesh-Gvul were imprisoned for refusing to fight against civilians in the Occupied Territories. Their message was loud and clear: they would always defend their country, but they would not comply when service entailed committing acts of repression against civilians and occupying land they believed lay outside Israel's borders.

The reemergence of a vociferous dissent movement, particularly one that is closely related to the growing rupture dividing Israel's society concerning the future of the Occupied Territories, helped ignite the process that led to the 1992–1993 Oslo peace talks. Not surprisingly, after the signing of the Oslo Accords, however, the phenomenon of refusal all but vanished, although Israel maintained its direct and indirect control over millions of Palestinians through an elaborate system of surveillance, supervision, inspection, and, when required, direct violence.

Refusals to serve were virtually nonexistent from 1993 until 2000, the period during which most Israelis perceived the military presence of the Israeli Defense Forces (IDF) in the territories as a temporary condition with withdrawal contingent upon a final agreement. At the time, all the soldiers who would later sign the refusers' letter believed that Israel was engaged in a genuine peace process and that an agreement with the Palestinians was in sight.

Yet, as Sara Roy carefully documents in her book, *The Gaza Strip: The Political Economy of De-Development*, the picture turned out to be different. Most of the territories remained under Israeli control and none of the Israeli governments implemented its side of the agreement. The poverty in the West Bank and Gaza increased while the daily humiliation, arbitrary arrests, infinite roadblocks, curfews, and closures only intensified. In July 2000, the Palestinians rejected "Barak's generous offer," and in September, Ariel Sharon's visit to the plaza outside the holy El-Aqsa mosque enflamed the region. The second Intifada broke out. The Israeli retaliation was unprecedented in its fierceness: for the first time, tanks entered the West Bank and Gaza, and choppers were firing missiles into urban areas. By the time Ariel Sharon was elected in 2001, the region was already caught in a vicious violent circle as each side constantly avenged the previous day's attack and generated a massive wave of suicide bombings. Amidst a tense and horrified Israeli public, a group of reserve combatant officers and soldiers decided to refuse serving in the Occupied Territories.

The military plays a central role in Israeli society. Israel, as it is perceived by the vast majority of its Jewish citizens, was established

through war and managed to maintain its fragile existence in an increasingly hostile environment mainly because of its superior military capabilities *vis-à-vis* its belligerent neighbors. More so, Israeli-Jewish society is diverse, comprising Jews from literally all corners of the world, all with distinct cultures, values, and attitudes toward tradition and religion. Although there is tension between different groups (for example, between Jews of European origin and those from Arab countries), serving in the armed forces eases many of these conflicts through the process of forming a united consciousness devoted to the security and defense of the state.

For these reasons, the IDF, which requires the longest mandatory service in the world (three years for men and two for women), was able to enjoy, for most of the country's history, extremely high rates of recruitment and a constant flow of motivated soldiers, eager to volunteer to take part in combat units and officer courses. For many years, military service was an essential path to full membership in Israel society as it is the army that seals the relationship between the state and its citizens. For these reasons, until fractures started tainting its image, the military enjoyed a privileged status in the Israeli public, and even without official censorship, was, in fact, beyond critique. It is clear that the two prominent military refusal movements—Yesh-Gvul during the 1980s and Courage to Refuse in the past four years—were able to leverage the central role of the military in the Israeli society in order to strengthen their message and position. Yet, at the same time, their influence must also be viewed in congruence with political, cultural, and social trends that have constantly eroded the image of the IDF and the prestige of service.

Since 1967, Israel has been entangled in a project of territorial expansion and Jewish colonization that includes the occupation of the West Bank, Gaza strip, Golan Heights, and the Sinai Peninsula. This has created a deep rupture in Israel's society and has dominated its political agenda. More so, it has eroded Israel's strategic positioning and contributed to a series of political and military failures. The 1973 war, for example, cost Israel deeply in human casualties and led to the pullout from Sinai only a few years later. The 1982 invasion in Lebanon that ended in 2000 after the Israeli public expressed deep reluctance to pay the heavy price of Israel's military presence in South Lebanon led to a continuous clash with the Shiites and to the emergence of the Hezbollah, Israel's new northern enemy. Most dramatic, the military occupation of millions of Palestinians in the West Bank and Gaza, and the insistence on establishing Jewish settlements on the occupied Arab land, has led to an increasingly more violent Palestinian uprising since 1987. Israel responded with great force, using all its military strength to suppress the uprising. The military has managed to enjoy only partial and ephemeral success at the high price of deteriorating

fighting ethics, decreasing service motivation, and mounting doubt in the justice of the cause.

Another factor that influenced military dissent in Israel is the economic and cultural liberalization processes that the country has undergone in the last few decades. At its inception, Israel established an extremely centralized economy supplemented by a non-pluralistic culture, thus emphasizing the subjugation of the individual to the realization of ever-demanding collective ends. Since the 1970s, with the propagation of its economy, its integration into globalization processes, and the gradual elimination of its existential threat, Israel has undertaken a rapid process of liberalizing its economy from the hands of the state and freeing itself culturally from the atmosphere of enlistment to collective goals. The result has been the dawn of individualistic values and norms, the progression of political and cultural pluralism, and, accordingly, the cultivation of revisionist literature that offers a critical account of the Zionist project and the Israeli–Palestinian conflict. As a result of these processes, Israel has begun witnessing a growing reluctance to pay personal sacrifices, an erosion of social cohesiveness, and, as a natural consequence, a decline in both the military’s prestige and in the willingness to serve. The image of the successful businessman has recently replaced the courageous combat soldier as the subject of idealization and adoration.

The vast majority of refusers belong to the political camp that opposes the continuation of the occupation and, since the 1993 Oslo Accords, has advanced the idea of a two-state solution. This characterization endowed their act of refusal, although rooted in a conscientious sentiment, with a clear political tone. Refusal to serve in the IDF based purely on pacifistic ideology, even if it exists in Israel, is negligible. This can be explained by the fact that the militaristic culture in Israel was not conducive to the development of such ideology, whereas the political dispute concerning the legality and utility of the occupation, and to a lesser extent its morality, was highly developed by the early 1980s.

The emergence of Courage to Refuse should be analyzed in light of the radicalization of this political dispute. Under those conditions, some members of the left are now willing to disobey the law, risk the danger of military imprisonment, and express publicly what is widely held as not only an impeachment of loyalty to the still much-adored military but also an abandonment or even betrayal of brothers in arms. The social costs of refusal, thus, remain quite high. Yet the 1,000–1,500 active refusers are only a small fraction of a growing common phenomenon of evasion from both conscript and reserve service, by means of various subterfuges, which reflects the new era of individualism and the eradication of military prestige. Regardless of the official “mandatory” service, realistically only 55 percent of every age-group serves the entire time. The army is finding

it increasingly difficult to recruit due to the high price that military service ensues—especially under prolonged armed conflict—in terms of time lost (reserve soldiers are requested to serve a month or more every year), damage to business opportunities, and risk.

The power of public disobedience is merely symbolic. In terms of its actual numbers, the refuser movement is not affecting the military's capability to successfully launch missions and operations. The "grey" evasion is creating far greater dearth of readily available manpower than conscientious-political refusal. Yet the refusal movement, more than impeding the military's capabilities, is casting a great shadow on the justification of its operation, and its moral grounds.

To be sure, a large portion of the population has doubts concerning the deployment and practice of the IDF in the Occupied Territories; nevertheless, in 2002, when the critique came in the form of young officers breaking ranks, the "sudden" reemergence of the refusal phenomena had a powerful and troubling effect. As the reaction to the last wave of refusal has once again shown, Israeli society still cannot easily dismiss the call of its most revered members.

Immediately after it was made public, the combatant letter received widespread attention and caused an unprecedented debate. The new refusers were interviewed for leading newspapers and appeared on numerous television programs. Articles written by eloquent refusers were published frequently in op-ed sections. Although most newspapers' columnists and television and radio interviewers have made clear their objection to the act of military refusal, many of them nevertheless felt obliged to address the protesters' concerns. The result, as Ronit Cahachams observes in her book *Breaking Ranks*, was that the future of the occupation, its legality, utility, and morality, became part of public debate like never before.

The response of political actors was quite predictable: the political Right explicitly rejected the disobedient act, calling it everything from illegitimate and undemocratic to nothing less than treason and defection in times of war. The political Left had divided those who rejected for posing great danger to the rule of law and those who supported it, many times simply out of doubt in the ability to end the occupation by less extreme means. Yet the impact of the refusal phenomena on the general public came as somewhat of a surprise and is therefore worth noting. National surveys periodically conducted since then consistently show that about one quarter of the Jewish population approves of a soldier's right to refuse serving in the occupied territories. (The stance of the Arab population, which comprises a fifth of Israeli citizenry, is obvious.) This is an extremely high percentage, reflecting the intensity of the political conflict regarding the

issue of the occupation, as well as the striking-root of liberal values, which give precedence to individual preferences over collective demands. It also reflects the successes of Courage to Refuse to strike a chord in a dormant public, which was forced to react to the movement's wake-up call.

In its conscious, strategic decisions, Courage to Refuse acted to leverage its public effect. For example, it specifically limited the membership to combat soldiers and officers—those who remain faithful to collective Israeli values and yet can most accurately attest to the systematic violation of Palestinians' human rights. Their refusal was presented to the public as an act of concerned citizens taking responsibility in order to reshape the future of their beloved state, a natural continuation of the spirit of devotion and faithfulness that represents the values of "genuine" Zionism. The state, at the same time, was presented as acting in variance to its strategic and moral interests and in defiance of its founding members' heritage. Put simply, the conscious utilization of Zionist discourse can go a long way in explaining the relative success of the movement.

It is also important to note that the refusers did not adopt a civil, anti-militaristic discourse. On the contrary, they situated their actions within the ethos of the military, making their plea to the Israeli public while in uniform. Significantly, their refusal sprang from the same roots as their willingness to sacrifice their lives for the country. Membership was also limited to reserve soldiers, in congruence with the widely held view that the impact on reserve forces is different and less severe from that on the conscript forces, therefore representing a responsible balance of interests between legitimate protest and ruination of the military's infrastructure. Finally, and arguably most importantly, membership was limited to those who endorsed selective, as opposed to sweeping, refusal, like those who refused to serve in the Occupied Territories but declared their willingness to keep serving the state and defend its lawful borders in cases of just wars.

These strategic choices, together with a high consciousness to the role of the media, have contributed to the success of the movement to this point. The debate that the refusers steered reverberated for almost a year. Fifty-one combat soldiers signed the original petition; in less than a month the number grew to two hundred and increased to over six hundred within a year. Many more supported the movement from "outside," due to the strict membership rules the group introduced. The success of Courage to Refuse also encouraged the creation of other refusal groups like the Pilots' letter, the Special Forces' letter, and the high-school seniors' letter, each highlighting a different aspect of the refusal phenomena. More so, the refusal movement brought to broad daylight the moral objection to the occupation, as opposed to and in addition to the common utilitarian objection, which

typically limits itself to the Israeli interest in ending the occupation. And even though after a year or so, the ability of the refusal movement to penetrate the media and reposition itself as a dominant public player has all but vanished, its lasting effects on the Israeli public and political landscape are worth mentioning.

Through their uncompromising public struggle, the various refusal movements contributed to Israel's democratic culture. Building on the Yesh-Gvul legacy, which claims that a war deemed unnecessary is illegitimate, the refusal movements made it a matter of institutionalized reality that unlawful uses of the military by the state would immediately face popular dissent from a concerned and responsible citizenry. Thanks to refusal movements, civil disobedience is emerging in Israel as an important democratic means by which the real sovereign, the citizenry, is able to check the state's power.

Nevertheless, the achievements of the refusal movement were limited. For one, the movement's enlisting potential was exhausted within a year. It seems that the movement was only able to appeal to a very limited sector of the reserve forces; one that anyway had a strong aversion toward the continuous occupation, and was willing to take a public stand vis-à-vis family and friends. For those officers and soldiers, the movement functioned as a better alternative than grey evasion, private refusal, or continuous service with mixed feelings. Although it constantly sought to "recruit" ever more reserve soldiers and enlarge its supporting base, the movement was never able to appeal to people beyond the very limited circle mentioned earlier. The vast majority of the Jewish public simply preferred to reject their moral appeal.

Civil disobedience and a refusal to obey military orders illuminate a permanent paradox in liberal democracies. On one hand, many liberals agree that laws and orders should not be followed blindly and citizens have a right and even a duty to refuse partaking in unjust laws. On the other hand, the law itself does not and cannot specify the conditions when it is legitimate to disobey the law. The liberal paradox can be partly resolved only by acknowledging the existence of some "higher order principles" that lie at the basis of the social and political structure, and supersede the legal order.

Civil disobedience can thus be justified if, and only if, it is based on those extra-legal shared principles that have the power to override unjust laws and orders. This is why it can be used as a powerful wake-up call only if the majority of citizens can identify with the values and principles that ground the public act of refusal. Civil disobedience is therefore a speech act of reclaiming alleged shared principles. Yet in Israel's pluralistic and "postmodern" society, such reclaiming is inherently contentious.

The refusers faced the painful reality that the majority of Israelis share neither their “universal” values nor their perception of reality. Because values and comprehension of reality are tightly related to one’s political perceptions, the refusers were only able to mobilize people who were situated politically in the far left.

In addition, the movement, as mentioned earlier, was able to make the public recognize the right of individuals to refuse on conscientious grounds, in congruence with the liberalization process the Israeli society is undertaking. Nevertheless, it failed completely to convince the public that its members have a right to refuse on political grounds that are related to the concrete nature of the military occupation of Palestinian land. The group was constantly frustrated that the public debate concentrated on the principled question concerning the right to refuse while avoiding the more concrete issue of the political and economic conditions leading to that refusal. It was not long before a clear distinction was made between legitimate conscientious objection and a political objection, which is deemed illegal, illegitimate, and dangerous to democracy.

We conclude by reflecting on the current sociopolitical landscape in Israel and the role the refusal phenomenon plays within it. The exhausted Israeli public is reluctant to engage in more rounds of futile peace talks, yet is anxious to bring the violent conflict to a quick end. This state of mind, which is conducive to pragmatic rather than ideological solutions, can in turn explain the unprecedented popularity Prime Minister Sharon, arguably the most pragmatic politician since Ben-Gurion, is enjoying among the Jewish population of Israel. Pragmatism is thus the prism through which the recent Gaza pullout should be analyzed. By the summer of 2004, it had already become clear to decision makers that it was no longer possible to rely on the public’s willingness to contribute to the perpetuation of (at least vast parts of) the occupation, whether fiscally or militarily.

Within the new pragmatic paradigm, we are now better positioned to view the refusal phenomenon’s impact on Israel’s latest effort to proceed toward a viable solution with the Palestinians. Even though it was motivated by moral and political undertones, it seems that the refusal movements’ moral appeal had far less influence than the pragmatic implications emanating from its mere existence; the refusal movements simply raised the social risks involved in perpetuating the occupation by threatening to tear apart the delicate fabric that holds society intact. Senior adviser Dov Weisglas reiterated just this to *Haaretz* in his famous interview, stating that the refusal phenomenon is a social problem, and not an ideological contest. It is becoming clearer that the state and the military will be able to contain the next wave of refusal only as long as the public

believes that the government is genuinely committed to advancing a solution to the Israeli–Palestinian conflict. When faith in such a commitment begins crumbling, we will inevitably see more soldiers breaking ranks.

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