Why the U.N.’s Israel Obsession Should Worry Even People Who Don’t Care about Israel

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Yesterday, the Wall Street Journal ran an op-ed by me and Penny Grunseid, [“At the U.N., Only Israel is an Occupying Power](https://t.co/zRKXgEx8dE).” The piece was the result of a research project in which we use content analysis software to compare the language of U.N. resolutions about Israel with the language of other resolutions. Here, we focused on comparing the legal language and general tone of U.N. resolutions dealing with Israel to the legal language and tone of resolutions dealing with the eight recent or ongoing situations of belligerent occupation that have involved substantial levels of settlement activity, which I identified in [my new](https://www.washingtonpost.com/news/volokh-conspiracy/wp/2016/09/12/new-research-paper-unsettled-a-global-study-of-settlements-in-occupied-territories/?utm_term=.5ab5d11077e4) [research paper](http://ssrn.com/abstract%3D2835908), “Unsettled: A Global Study of Settlements in Occupied Territories.”

Everyone knows the U.N. spends a disproportionate time on Israel, but the data reveal that even within resolutions, it uses a unique legal vocabulary for the Jewish state. The scale of the difference is quite striking. Here is an excerpt from the Wall Street Journal piece:

*Since 1967, General Assembly resolutions have referred to Israeli-held territories as “occupied” 2,342 times, while the territories mentioned above are referred to as “occupied” a mere 16 times combined… Similarly, Security Council resolutions refer to the disputed territories in the Israeli-Arab conflict as “occupied” 31 times, but only a total of five times in reference to all seven other conflicts combined.*

*General Assembly resolutions employ the term “grave” to describe Israel’s actions 513 times, as opposed to 14 total for all the other conflicts, which involve the full gamut of human-rights abuses, including allegations of ethnic cleansing and torture. Verbs such as “condemn” and “deplore” are sprinkled into Israel-related resolutions tens more times than they are in resolutions about other conflicts, setting a unique tone of disdain.*

*Israel has been reminded by resolutions against it of the country’s obligations under the Geneva Conventions about 500 times since 1967—as opposed to two times for the other situations. …*

*[T]he U.N. has only used the legally loaded word “settlements” to describe Israeli civilian communities (256 times by the GA and 17 by the Security Council). Neither body has ever used that word in relation to any other country with settlers in occupied territory.*

One of the striking findings here is that the supposedly more sober Security Council shares the General Assembly’s vice: When it comes to settlements and occupation, it can see no evil if Israel is not the culprit.

This provides further demonstration of the findings of my new research paper, that the supposed international norm against settlers is in practice a norm about Israel, rather than a general rule of law.

But some may be inclined to shrug off the U.N.’s particular interest in Israel, on the theory that “one has to start somewhere.” In this view, international law is deeply intertwined with politics (which is true), and the international legal system is weak and immature. Dealing with alleged Israeli wrongdoings is the first level in an eventual broader and more systematic approach. Another response is that if it is impossible to censure serious wrongdoers — say, Turkey and Morocco, whose occupied territories are now *mostly* populated by settlers — something is better than nothing.

But the data — which covers the past 50 years — show this is not happening. If anything, causation seems to run the other way. Turtle Bay’s focus on one country has apparently robbed it of the ability to address the world’s many situations of occupation and settlements. This shows the double role of the scapegoat: It does not just get all the blame, but it also effectively absolves others. The U.N.’s blindness to settlements around the world is actually the flip side of its focus on Israel.