



De/Colonising Palestine

Contemporary Debates

Edited by
Riccardo Bocco and Ibrahim Saïd



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Contemporary Debates

Under the direction of Riccardo Bocco and Ibrahim Saïd

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ABSTRACT

This edited volume seeks to contribute to the broader project of decolonisation by bringing together diverse perspectives for a critical examination of the Palestine Question. It aims to challenge dominant narratives, highlight the resilience and agency of Palestinians, and explore new pathways toward justice and liberation amid ongoing occupation and colonialism. The volume is structured into five sections, each providing a distinct lens on the question of Palestine. Topics covered include the question of refugees, the diaspora, the predicament of the Palestinian Authority, hydropolitics, and the settler colonial modes of Israeli control. Additionally, the book delves into Palestinian cultural resistance and the evolution of international coalitions, highlighting a shift in solidarity - from performative to transformative - towards decolonisation and liberation and the associated challenges.

EDITOR'S NOTE

On the editorial process: The editors undertook a rigorous editorial process, reviewing and refining each chapter through multiple rounds of feedback to ensure coherence, quality, and consistency across the volume. This process was complemented by a single-blind peer review conducted by external reviewers, whose comments were carefully addressed and integrated into the final manuscript.

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Foreword

It has taken considerable time to bring this edited volume to fruition. We are deeply grateful to all contributors for their remarkable patience and understanding throughout this period. We would like to extend our sincere gratitude to Farrah Hawana for her language editing work, which greatly enhanced the clarity and coherence of this volume. We are also deeply appreciative of the anonymous reviewers for their time, insightful feedback, and critical engagement, all of which have strengthened the depth and quality of this work.

As this project progressed, it navigated through a rapidly evolving geopolitical landscape characterised by heightened oppression and the intensification of colonial violence. The ongoing situation in Gaza, which many describe as genocidal, underscores the urgency and relevance of this volume. Although authored during different times, the chapters collectively encapsulate the enduring and dynamic nature of the Palestinian struggle set against a backdrop of intensified colonial domination. The insights provided here remain both relevant to current events and timeless in their depth and analysis. This work serves not only as a historical archive but also as an acute reflection of current realities.

As a Swiss citizen and a European, Riccardo's involvement with Israel-Palestine has been long-standing, informed by substantial periods spent in the region and frequent visits thereafter. His engagement is not driven by an ambition to prescribe solutions but by a commitment to broaden the discourse beyond academic boundaries to include European civil societies and their representatives. This commitment is fuelled by a desire to dismantle persistent stereotypes and misconceptions that distort Western views and obstruct the comprehension of historical errors and ongoing injustices. Notably, these injustices extend long shadows back to Switzerland, where our taxes indirectly fund federal humanitarian aid and weapons purchases that inadvertently support sustaining the Israeli military occupation and colonisation enterprise. These economic entanglements, coupled with a failure to hold Israel accountable, underscore the need for serious reflection on Switzerland's role as custodian of the Geneva Convention and on the responsibilities of its signatories.

For Palestinians, this discourse is not an abstract academic exercise but a lived reality shaped by displacement, military occupation, colonial domination, systemic discrimination, and an ongoing struggle for self-determination and liberation. The persistent failure of the international community to hold Israel accountable has reinforced structures of oppression, normalising policies of land dispossession, siege, and apartheid. From the refugee camps of Lebanon,

Jordan, and Syria to the besieged Gaza Strip and the fragmented West Bank, Palestinians experience the consequences of a global order that selectively applies principles of justice and human rights.

At the same time, many Israeli citizens—both Jewish and Palestinian—who oppose these injustices find themselves increasingly marginalised within a political system that silences dissent and criminalises quests for equal citizenship and justice. Those who challenge the colonial regime, whether through activism, scholarship, protests, or else, face growing state repression, legislative restrictions, and social ostracisation. Yet their voices remain crucial in exposing the contradictions of a state that claims democratic values while entrenching policies of exclusion, domination and dispossession. The entanglement of European policies—whether through economic ties, arms sales, or diplomatic shielding—further entrenches these injustices, making it imperative to confront not only Israel’s violations but also the complicity of those who enable them. The responsibility to challenge these distortions in Western discourse is not just an ethical imperative but a necessary step toward dismantling the myths that sustain the settler colonial rule and perpetuate the historical and physical erasure of Palestinians.

This volume reaffirms the essential role of the social sciences and humanities in conducting critical analyses that decode, examine, and historicise the myths, perceptions, and stereotypes that consistently distort public discourse. This scholarly endeavour does more than illuminate, it challenges the ‘red lines’ and the barriers to understanding the colonial reality enforced by governmental policies and manufactured media coverage and public opinions. Such critical work is fundamental in facilitating deeper understanding, which is crucial for dismantling misconceptions about Israel’s settler colonial enterprise.

Riccardo Bocco and Ibrahim Saïd
Geneva, 2025

About the Artworks in this Book

This edited book showcases a curated selection of artworks by Palestinian artist Steve Sabella, renowned for his poignant explorations of identity, exile, and the human condition. Featured artworks series such as *Elsewhere*, *38 Days of Re-Collection*, *No Man's Land*, *The Great March of Return*, and *Everland*, alongside *Exit* and *SETTLEMENT | Six Israelis & One Palestinian*, accompany the different sections in this edited volume and are each presented in individual chapters. Through these series, Sabella masterfully reimagines historical landscapes, captures haunting memories, and constructs visual narratives that challenge colonial perceptions of place and identity. By intertwining elements from the past with contemporary struggles, his art offers a powerful commentary on displacement, resistance, and the quest for liberation – central elements of this volume. It invites viewers to reflect on the forces shaping geopolitical narratives, people's lives, and the reclaiming of Palestinian histories and identities.

Each artwork featured in this book has its unique narrative, intricately woven with insights that reveal the essence of Sabella's creative journey. Understanding these stories is pivotal for those who wish to delve deeply into the thematic core and technical nuances of his work. The detailed descriptions accompanying each series, presented below, serve as gateways, inviting readers to traverse the historical, cultural, and personal elements that shape each artwork. By familiarising themselves with these narratives, readers can unlock a richer, more layered appreciation of Sabella's artistic dialogue, visual expression and political rationalities. To learn more, visit <http://www.stevesabella.space>.

Dependence | 2016

Artworks in the introduction

Fibreglass installation and a large wall print. Dependence powerfully captures the intricate dynamics of control and dependency that define life under Israeli occupation. Inspired by Steve Sabella's personal experience detailed in his memoir *The Parachute Paradox*, the artwork emerges from a pivotal moment of tandem parachute jumping with an Israeli instructor over Haifa. Sabella vividly recounts this experience, drawing a stark parallel to his broader existential reality: "[Life] under occupation is like the reality of a Palestinian attached to an Israeli in a tandem jump. There is an Israeli on the back of every Palestinian, controlling all aspects of life—the Israeli is always in control."

Through this metaphor, Sabella portrays the constant, looming threat Palestinians face, trapped in what he describes as a "never-ending hostage situation." This installation not only reflects a physical entanglement but also provokes a deep contemplation on freedom, identity, surveillance and control under Israeli occupation. Steve Sabella | The Parachute Paradox

Elsewhere | 2020

Artworks in section one

Feature black and white photochromes from nineteenth-century historic Palestine, with a selection of images from Syria and Lebanon. Sabella collaged them, recreating the feeling of the place as if one had travelled through a time machine and was suddenly present. In search of hidden realities, Sabella wrote about how the archaeology of the future is the archaeology of the image and its genealogy. Elsewhere investigates time, the layers of history, archaeology, genealogy, geography, and anthropology, and one cannot even look at without a dose of mythology. "Elsewhere is the Renaissance of culture and life constantly under erasure. Yet, the spirit of the place and its people will always be alive. Elsewhere is a journey to the land that once was, the land, the place that lives in the imagination." Ader auction catalogue | Paris.

No Man's Land | 2015

Artworks in section two

"In Steve Sabella's work No Man's Land, it is precisely the recurring elements of any landscape that are questioned as we do not know where we are — the specificity of place has been lost as the photographs are a sophisticated, seamless collage of everyday elements from the landscape, rotten leaves, feathers, pollen and dust on the surface of a lake. As Steve Sabella explains, 'We don't know where we belong here. If they reflect anything, these are images of a present defined by shifting borders and displaced origins, existence in them threshold.' We seem to float in an abyss, an infinity with no rootedness or grounding, in which fragments from the landscape create a cosmos. The title, No Man's Land, has particular associations for Palestinians as it was the strip of land that divided East and West Jerusalem after 1948, beyond which lay the other half of the city from which they were expelled from and their homes taken." Intimate Terrains: Representations of a Disappearing Landscape Catalogue | The Palestinian Museum | Tina Sherwell.

38 Days of Re-Collection | 2014

Artworks in section three

Feature black and white film negatives (generated from digital images) printed with black and white photo emulsion spread on colour paint fragments collected from Jerusalem's Old City house walls. The base effectively coloured the images, rendering some of them as archaeological findings. "In 2009 Sabella rented a house in Ein Karim in Jerusalem, which a Palestinian family had abandoned, to secure themselves, when they heard about the Deir Yassin massacre in April 1948. He stayed in it for thirty-eight days, taking photographs of objects—utensils, walls, pictures—visually frisking the history of the place. Then, in his parental home and in other houses in the Old City of Jerusalem, he removed pieces of walls, little bits of painted plaster, or just of stained chalk. The colour photographs were copied onto black-and white film, and the pieces of fresco, flayed bits of wall, were covered in an emulsion, and the negatives from the house he lived in projected and fixed on that emulsion. Because of the different colours of the carrier, the black-and-white images take on a mysterious, dreamlike presence that really belongs to no place and no time. They look ghostly; are the absence of presence and the presence of absence, and it is hard to decide which place or time they belong to." Steve Sabella: Photography 1997 – 2004 | Hatje Cantz | Hubertus von Amelnunxen.

Everland | 2020

Artworks in section four

A collage of Palestinian embroidery photographed from traditional costumes. Everland celebrates all the charm that comes out of Palestine, where everything gets disrupted. Yet, the photo collage style enables the different cross stitches, among other techniques, to penetrate deep into new borders, creating unique designs that look as if they represent every other culture.

Exit | 2006

Artworks in section four

Photographed in a hospice of elderly people in their last days of life, their hands transform into statues as if sculpted, and their skin mirrored for Sabella back then the harsh reality of living in what he perceived as a permanent state of exile. "Exit was in many ways his attempt to give a visual form to the cumulative experiences of his life, and the result, which makes one cringe, is

haunting. These hands were the landscape of his exile. But it was, however, the lowest ebb that was his turn of tide, for from the choice of Exit, perhaps from life, Sabella chose to rebuild his own utopia in the exile of his mind. Contemporary Practices Journal | The Journey of Artistic Interrogation and Introspection | Yasmin El Rashidi.

The Great March of Return | 2019

Artworks on the cover and in section five

The Great March of Return is a collage including over one thousand photographs captured by five Palestinian journalists from Gaza of the crowds who have gathered every Friday since March 2018 to end the Israeli occupation. Sabella contrasted these images with photos of outer space merging the hermetically sealed Strip with infinity, creating a monumental “present-day fresco” demonstrating a nation’s eternal fight for liberation. “Between fires, smoke bombs, death, and destruction, the great circle connects to Renaissance art, creating a ‘space without borders’ that makes one think of a sort of a Palestinian Sistine Chapel, containing a message of rebirth. Sabella uses colours in photographic images how the painter uses his brushes and palette. The assembled photos create a new world, ‘a reality within reality’, a journey to the beginning and end of time.” BLOCKS | Museo Riso | Albergo Delle Povere | Palermo | Daniela Brignone.

SETTLEMENT | Six Israelis & One Palestinian | 2008

Artworks in the Post Script

Managing to convince six Israelis who served in the Israeli army to strip to their underwear and standing opposite to them, also in underwear, Sabella creates a thought-provoking historic installation on identity and identification, self and other, on image and imagination. The viewer standing in the middle of the installation cannot see both sides at the same time. “Thus, the viewer must make a critical choice or step back to consider their position. The installation urges us to reflect on the many essential aspects that have shaped the conflict: the Holocaust, the Israeli occupation of Palestine, the stripping of Palestinians in search of suicide bombers, demography, settlement, borders, the Wall with restrictions of either side in crossing over, control and security, among many other issues.” SETTLEMENT | International Gallerie Magazine | Bina Sarkar.

The 'Palestine Question' Today: An Introduction

Riccardo Bocco and Ibrahim Saïd



Dependence

2016 | Fibreglass installation and a large wall print.

Source: **Steve Sabella**, <https://stevesabella.space/pages/dependence>

Q: You have spent a lot of time studying this, obviously, as the head of Shin Bet, could you describe what is the reality for Palestinians here?

A: A life of people who dream about freedom and do not see it... whether we like it or not, we control the life of millions...

Q: If you were a Palestinian living in the West Bank and Gaza what would your views be of Israel?

A: I would fight against Israel in order to achieve my liberty...

Q: How would you fight? how dirty?

A: I would do everything in order to achieve my liberty, and that's it...

Q: [...W]hat can Israel do to protect itself?

A: You cannot deter a person or a group of people if they believe that they have nothing to lose. We Israelis, we shall have security only when they will have hope.

Ami Ayalon, Former Director, Internal Security Service, Shin Bet (ABC 2024)

On October 7, 2023, the world watched in shock as Palestinian armed groups breached the heavily fortified barriers surrounding the Gaza enclave, launching a bold and desperate attack that resulted in numerous Israeli soldiers and civilians being killed or taken hostage. The attack raised serious concerns regarding violations of international law and was met with widespread condemnation from the international community. A series of Presidents, Prime Ministers, and Foreign Ministers rushed to Israel in a show of solidarity, pledging support and stressing the importance of Israel's security, with little regard for the oppressive colonial reality of Israel's effective control over the Gaza Strip and the remaining occupied Palestinian territory.

Supported by Western imperial powers and driven by a quest for 'revenge,' Israel's response was swift and overwhelmingly destructive. Justifying its actions under the pretext of self-defence, the Israeli government declared war on Gaza, launching an unprecedented military assault on the small enclave and raising fears of a plausible risk of genocide (ICJ 2024). "There will be no electricity, no food, no water, no fuel, everything is closed... We are fighting human animals, and we are acting accordingly" (Levy 2024) were the chilling words of Israeli Defence Minister Yoav Gallant as he announced a complete siege of the Gaza Strip. The military campaign featured relentless aerial bombardments, artillery fire, and ground invasion, destroying and levelling large swathes of Gaza, displacing hundreds of thousands of people, and resulting in the loss of countless lives, most of whom are women and children (OHCHR 2024). Hospitals, schools, mosques, churches, United Nations facilities, universities, and even designated humanitarian zones were not spared, as Israel insisted that such strikes were necessary to eliminate ' Hamas militants' who, according to the Israeli narrative, were using civilians as 'human shields' (Marsi 2023).

For close observers, the events of October 7 were not merely a sudden, isolated, or irrational outburst of ‘barbaric’ violence. As UN Secretary-General António Guterres noted, the attack “did not come out of a vacuum” (Guterres 2023), but was the tragic culmination of decades marked by desperation, hopelessness, and relentless oppression. Gaza, often described as the world’s largest open-air prison—an expression first used by former British Prime Minister David Cameron and recently compared to the Warsaw Ghetto by Masha Gessen, a Russian-American Jewish intellectual (Gessen 2023) – has been under a suffocating Israeli siege for over 17 years. This blockade, compounded by 58 years of occupation and 77 years of forced displacement, has resulted in persistent, manufactured humanitarian crises described by the United Nations as “unprecedented” (OCHA 2018, 1). The situation was so dire that a UN report had already predicted Gaza would become unfit for human habitation as early as 2020 (UN 2012).

Equally, and contrary to populist narratives across mainstream media, the disproportionate militarised violence that Palestinians in Gaza have endured since October 7 is not simply about Hamas per se – as an armed or political group whose actions have imposed a cost on Israel. Rather, it reflects an ongoing ritual repeatedly performed by Israeli authorities with varying levels of intensity and alternating subjects occupying a category of perceived ‘threat’ to the settler-colonial regime from the nationalist-socialist to Islamist, violent and nonviolent resistance. Since the introduction of the ‘separation plan’ by Ariel Sharon’s government in the early 2000s, Israel has periodically launched military operations against the Gaza enclave, a tactic colloquially referred to as ‘mowing the grass’ (Esposito 2009). This strategy, as Efraim Inbar and Eitan Shamir (2013, 68) explain, is a “patient military strategy of attrition designed primarily to debilitate enemy capabilities” through typically short, intense, and often large-scale military operations. As Norman Finkelstein elaborates, “that’s the Israeli expression. You go in, and you kill a thousand people, destroy everything in sight...” (Finkelstein 2014), “periodic high-tech massacres” (Finkelstein 2024). The application of disproportionate force within this strategy is not intended to secure a long-term political resolution but rather to create a temporary deterrent effect to establish periods of relative calm (Inbar and Shamir 2013), maintain order (Feffer 2024), and assert control—a political framework par excellence designed to sustain the structures of power and domination.

While the use of this strategy has intensified since Israel withdrew its settlements from Gaza in 2005 and as Hamas took power in 2007, it clearly predates Hamas’ rise to power. The shelling of Fatah and Palestinian Authority (PA) offices and security posts in the Gaza Strip in 2001, followed by Israel’s first named military operations against Palestinian dissent—“Operation Colourful Journey” and “Operation Defensive Shield” in 2002, targeting Fatah’s military wing, the Al-Aqsa Martyrs Brigades, and the PA in the West Bank, respectively—marked

the initial explicit manifestations of the ‘mowing the grass’ strategy within the occupied territory (Esposito 2009; Butler 2009). These operations marked the first time since the 1967 war that Israel deployed helicopter gunships and naval vessels to shell Palestinian populated areas—a strategy that has long characterised Israel’s operations against both non-violent and militarised Palestinian resistance in the diaspora such as the targeted assassination of Ghassan Kana-fani, for instance, among others, and during both 1978 and 1982 Lebanon invasions and later against Hezbollah, epitomised in the 2006 ‘Dahiya Doctrine,’ as well against the different regimes across the Middle East. As former Prime Minister Naftali Bennett once stated, “I tie this to Lebanon because Israel was there for many years and its time there was to mow the grass so that the enemy would not bloom” (Rubenstein 2018).

Recently, and increasingly since October 7, Israel has [re]applied this strategy to the West Bank to suppress Palestinian resistance in Jenin, Tulkarm, and Nablus, among other areas, refashioning the territory from an internal to an external settler-colonial frontier (Ophir and Azoulay 2012), akin to Gaza (Patel 2023). This refashioning has been accompanied by a gradual evolution in the associated forms of violence and rationalities governing the use of violence to repel Palestinian dissent, from ‘law enforcement’ measures to maintain ‘law and order’ towards a more militarised use of force in the name of ‘self-defence.’ What began as an aspiring “invisible occupation” (Gordon 2008, 48)—as a strategy of control—has gradually evolved into multiple forms of spectacular violence, “laboratory experiments” of horror (Li 2006, 39) manifested in “politics of verticality” (Weizmann 2023, 2007), a process of “creeping apartheid” (Yiftachel 2012, 95), and culminated in an increasingly militarised incursion of ‘mowing the grass’ strategy guided by a combination of security ideologies (Sa’di 2021), colonial legalities (Erakat 2020), and biblical claims (Masalha 2014) serving to legitimise the appropriation of land, control over Palestinian lives, and the systematic erasure of Palestinian presence. As a result, Palestinians are reduced to what Giorgio Agamben describes as *homo sacer*, a bare life that can be extinguished without legal consequences (Agamben 1998).

Underlying this strategy in the occupied territory, according to Inbar and Shamir, is a grim sense within the Israeli establishment that perpetual war is the only answer to Israel’s ‘conflict’ with the Palestinians. This belief is driven by a perception that “ideologies cannot be defeated on the battlefield” and the belief that “the ethno-national, cultural, and religious gaps between Jews and Arabs are simply too large to allow for a strategy aiming for ending the conflict by persuading the opponents that peaceful coexistence is preferable” (Inbar and Shamir 2013, 71). David Weinberg of the Jerusalem Institute for Strategy and Security underscores this stance, noting that “there is no simple solution... [T]he most that Israel can do is [to] frequently ‘mow the grass’ to degrade capabilities” and create deterrence for extended periods of time. He likened it to “mowing your front lawn; this is constant, hard work. If you fail to do so,

weeds grow wild, and snakes begin to slither around the bush” (Weinberg 2021, 1). However, contrary to this perception, this strategy is rather driven by deeper, more entrenched motivations than a purely Zionist-centred analysis can reveal. This flawed, zero-sum Zionist perception echoes age-old colonial narratives in which native populations were depicted as ‘animals,’ ‘sub-humans’ or ‘barbaric’ incapable of rationality or moral worth, thus justifying their subjugation and the direct violence against them (Campbell 2019).

The use of militarised violence, whether rationalised as ‘mowing the grass’ or in its genocide-like form is neither an exceptional Israeli policy/practice nor the outcome of some recent reckoning but rather constitutes the latest articulation of the State of Israel’s modes of operation against the Palestinians, and the manifestation of its settler colonial rationalities of government that can be traced back as early as the establishment of the state of Israel. It aligns well with Israel’s prevailing strategy of ‘managing the conflict’ rather than resolving it (Segev 2024), a method that has consistently shaped its policies and actions in the 1967 occupied Palestinian territory—maintaining a permanent state of crisis without ever resolving the fundamental issues. In a sense, it represents Israel’s desire to ‘have the cake and eat it too’—demanding Palestinian complicity as it asserts its dominance, control, and authority over their land and their lives while violent repercussions await any form of dissent. Importantly, this approach exemplifies Israel’s settler colonial “logic of elimination” (Wolfe 2006, 387) where structural and foundational violence is inherent, simply because “[T]erritoriality is settler colonialism’s specific, irreducible element” (Wolfe 2006, 388). As Patrick Wolfe writes, “[W]hatever settlers may say—and they generally have a lot to say—the primary motive for elimination is not race (or religion, ethnicity, or civilization, etc.) but access to territory” (Wolfe 2006, 388). Under such logic, as Wolfe continues, paraphrasing Deborah Bird Rose, “to get in the way of settler colonization, all the native has to do is stay at home,” let alone resist it!

Colonial legacies: Eliminating Palestinian presence

Indeed, the use of extreme violence to intimidate and suppress indigenous resistance and take over land is a common colonial tactic. Throughout colonial history, heavily militarised settler colonies often launched murderous campaigns against those who resisted colonial oppressions and expansion. In a striking parallel to Israel’s practices against the Palestinians, these violent acts were consistently justified within the settler’s own logic: dismissing any occurrence as trivial, or, if acknowledged, rationalising it as a necessity in the name of law and order, civilisation, divine right, or simply as self-defence.

For instance, during the period of Spanish colonialism in the Americas, Spain frequently justified its violent actions under the framework of self-defence and the defence of Christianity. The Spanish monarchy and its intellectual defenders, such as Juan Ginés de Sepúlveda, argued that the conquest and subjugation of Indigenous peoples were necessary to defend Christian civilisation from what they considered barbarism, idolatry, and to quell possible resistance (de Sepúlveda 2023). Similarly, during the Frontier Wars between the Boers and the Xhosa, and later conflicts involving the British, both settler groups often invoked the notion of self-defence to justify their violent confrontations with Indigenous African populations. While these actions were framed as defensive measures to protect European farms and settlements from Indigenous attacks, they were frequently motivated by territorial expansion and the desire to control fertile lands. The Boers portrayed their actions as necessary responses to Xhosa incursions, even as they aggressively expanded into Indigenous territories (Laband 2020). Likewise, during the Anglo-Zulu War, the British framed their invasion of Zulu lands as a defensive war to protect their colony, although imperial ambitions to subdue the Zulu Kingdom and gain strategic advantage played a significant role. Indigenous African resistance, including that of the Xhosa and Zulu, was largely a reaction to settler encroachment on their land and sovereignty, countering the settlers' narrative of unprovoked violence (Laband 2020), which also characterise the narrative around Israel and Palestinian resistance.

Often, as Gapps (2018) has shown in his work on Australia's first colonised region, the Sydney basin, settler colonies' use of force frequently took the form of "elimination clearance operations" aimed at "driving the hostile natives across the mountains" and "clearing the country of them entirely" (Gapps 2018, 225). In the Colony of Victoria, as Ryan illustrates (Ryan 2010), massacres were a common tactic employed by settlers and agents of law and order to eliminate Aboriginal communities who contested British settler occupation of their land. These massacres were frequently justified as acts of retaliation or as pre-emptive strikes, driven by settlers' conviction of their entitlement to the "unfettered occupation of the land by virtue of their perceived... superiority to the Aborigines" (Ryan 2010, 262). In regions where large Indigenous communities remained, direct and structural violence was often employed to eliminate any form of resistance, subjugate the natives, and preserve colonial rule and power dynamics. This was evident in the French bombardment of Damascus in 1925 during the Great Syrian Revolution (Wright 1926), the violence and torture during the Battle of Algiers in 1956 (Branche 2007), and the suppression of the Mau Mau uprising against the British in Kenya in the 1950s, among others.

This historical pattern of colonial violence mirrors contemporary strategies employed in the settler colonial context of Israel-Palestine. From a settler-colonial perspective, the current military campaign in Gaza can be interpreted as a deliberate intensification aimed not only at suppressing resistance but also

at systematically eradicating Palestinian presence. The campaign goes beyond conventional military objectives to embody a process of elimination, seeking to render Gaza increasingly uninhabitable through methods that encompass direct fatal violence, destruction of infrastructure, and forced displacement. This escalation is neither a response to October 7 events nor simply driven by Netanyahu's 'personal' interest in prolonging the war, as some critiques may claim (Klein 2024). Instead, it reflects a broader political rationality within Israeli society and polity that leverages persistent Palestinian dissent against Zionist colonisation to reinforce its expansionist agenda. This rationality considers the 'right to colonise' (Perugini and Gordon 2015) as central to Zionist sovereignty, security and prosperity while employing a politics of denial (Cohen 2001) to perpetuate injustice. As Orit Strook, Minister of Settlements and National Missions, stated in March 2023, following the repeal of the 2005 Disengagement Law,

[O]ur first step will be to legalise the *Homesh Yeshiva*, and then we will gradually renew the settlement project in the area... I believe that, at the end of the day, the sin of the disengagement will be reversed. We are in the midst of a process of a different national understanding. I don't know how many years it will take. Unfortunately, a return to the Gaza Strip will also involve many casualties, just as the departure from the Gaza Strip involved many casualties. But there is no doubt that at the end of the day, it is part of the Land of Israel, and the day will come when we will return to it. (Baroch 2023)

Strook's vision reflects a deeply entrenched colonial rationality that perceives the land of Israel as indivisible—the manifestation of the right to colonise. The [re]settlement of Gaza is framed not as a matter of strategic debate but as an inevitable step in the realisation of Israel's national destiny. This perspective underscores a settler colonial ideology that prioritises expansion and permanence, casting territorial reclamation as both a historical ratification and a manifestation of national fulfilment, irrespective of the human cost. Within this framework, the October 7 attack can be argued to have served as a catalyst to rally international public opinion and, importantly, to galvanise the Israeli public support of the significant 'sacrifice' deemed necessary to achieve this objective. This is not to suggest that it was all planned, but rather aligned with pre-existing strategic intentions. As Finkelstein noted, "[F]or those of you who know the history, the people of Gaza have always refused, in a quite militant way, to acquiesce to their fate of being born, living, and dying in a concentration camp. Now, because of October 7th, Israel envisaged, and you'll excuse the obvious analogy, 'it was time for the final solution to the Gaza Question'" (Finkelstein 2024). This sentiment is exemplified in Prime Minister Netanyahu's speech, where he framed the impending war on Gaza as "our second war of independence," describing the mission of "destroying the enemy above ground and below ground" as "the mission of our lives, the mission of my life" (PMO 2023). In line with this sentiment, it is not surprising to see a Minister and a Knesset Member describing the unfolding violence as a "second Nakba" in

the making (Middle East Monitor 2023) the “Gaza Nakba” (Rapoport 2024) in reference to the elimination clearance operation that facilitated the establishment of the State of Israel and Zionist sovereignty over a large part of Mandate Palestine in 1948. This language signals the strategic direction of the ongoing war on Gaza, framing it as a continuation of the historical trajectory set by the Nakba.

The operationalisation of the “Gaza Nakba” or the “final solution to the Gaza Question,” as Finkelstein argues, falls on a spectrum involving a range of strategies and tactics oriented towards the ethnic cleansing of Gaza. Along this spectrum, Israel has instrumentalised humanitarian reasoning and the discourse of legality to justify the elimination of the Palestinians, underscoring the colonial legacies of international law. At one end of this spectrum, Finkelstein suggests, lies the aim to actively “sweep the entire population into the Egyptian Sinai,” preventing any possibility of return (Finkelstein 2024). A document written by the Ministry of Intelligence recommended the expulsion of all 2.2 million Palestinians from Gaza, the establishment of tent cities in northern Sinai to absorb the expelled population, and a sterile zone extending several kilometres into Egypt to prevent any return, activity or residence near the Israeli border. The drafters of this document view this approach as an ideal solution, mainly as it is considered a common practice in times of war, aligns with Egypt’s legal obligations under international law [to facilitate movement [of refugees] into Sinai] and could be marketed as crucial for safeguarding Palestinian lives during active combat. In the long term, this initiative is seen as an ideal measure that could gain international legitimacy since it includes efforts to resettle Palestinians in other countries, which is the main driver of this plan. To realise this objective, the document’s drafters assert that it requires the determination of the political echelon in the face of international pressure, with a focus on rallying the support of the USA and pro-Israel countries for the initiative (Avraham 2023). Thus far, this objective has been constrained by geopolitical limitations, but with the [re]election of Donald Trump, anything may be possible.

At the mid-point on this spectrum lies the objective to “make Gaza uninhabitable” (Finkelstein 2024) as a strategy for ethnic cleansing. This approach manifested not only in urbicidal and domicile tactics – the deliberate and systematic destruction of living spaces (Azzouz 2023), but is further enforced by siege tactics reminiscent of medieval warfare, aimed at starving Palestinians into submission (The Generals Plan 2023). By making Gaza uninhabitable, the logic goes, Palestinians who remain will be left with no options but to leave, invoking an age-old strategy of “transfer,” an idea as old as modern Zionism (Masalha 1992), manifested through forced displacement, the development of “internationally coordinated relocation programmes” and schemes promoting “voluntary emigration” (Isaac, 2023). In line with the Ministry of Intelligence document, Israel’s Ambassador to the UN, Danny Danon, proposed transferring

tens of thousands of Gazans to Europe, describing it as a “moral imperative – and opportunity – to demonstrate compassion” towards the people of Gaza. Danon frames this “transfer” as a pathway to “peace and stability in the Middle East” (Danon and Ben Barak 2023), deploying humanitarian language to recast forced displacement as a benevolent act. This twisted instrumentalisation of humanitarian law and human suffering reframes ethnic cleansing as a necessary response to a humanitarian crisis—an approach that conceals colonial interests under the guise of relief and safety. By co-opting the principles of humanitarian reason, this discourse legitimises displacement not as an imposition, but as a purportedly moral solution, distorting the foundational ethics of humanitarian law to serve the objectives of territorial control and demographic engineering.

At the other end of the spectrum, as Finkelstein adds, lies the continuation of “genocide without any elaboration and without any subtlety” (Finkelstein 2024). A defining feature of Israel’s conduct since October 7, as highlighted by the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, is the “de-civilization of Palestinians, a protected group under the Convention,” combined with distortion of the laws of war to conceal genocidal intent (Albanese 2024, 14). The conflation between the Palestinians in Gaza and Hamas, whose elimination is one of the declared objectives of this war, and the frequent invocation of the ‘human shields’ narrative blurs the boundaries between legitimate and illegitimate targets. This rhetoric invokes an old colonial rhetoric that divides between ‘civilised’ populations deemed worthy of protection and ‘barbarians’ positioned outside the law’s protection, rendering Palestinian lives disposable within a coloniser colonised framework. As Vasuki Nesiah argues, “the colonized territory rendered all civilians as potential human shields merely by existing there. The colonizer/colonized distinction trumped the civilian/combatant distinction and exposed the radical instability of the principles defining the notion of human shield; the colonizer seldom thought he had reached the threshold of disproportionality in violence against the colonized” (Nesiah 2017, 323). This enduring colonial narrative highlights the importance of decoloniality (Mignolo 2020) as an analytical and deconstructive framework to liberate our realities from the grip of colonial legacies. The appropriation of international law to rationalise atrocities exposes, yet again, the deep-rooted colonial structures embedded within the legal frameworks and systems that govern the international order. This revelation underscores how much work remains to be done to genuinely decolonise this body of law, building humanism and humanities that counter the coloniality of human rights and establishing robust and equitable enforcement mechanisms.

Coloniality, territoriality, security, sovereignty

Most importantly, this spectacle of violence is geared towards the ‘elimination’ of the Palestine Question by both seeking the elimination of Palestinian presence [in Gaza for now], and forcing the [remaining] Palestinians into surrender, subordination, and acceptance of the colonial reality and associated power dynamics. As Avi Dichter, former head of Shin Bet and current Minister of Agriculture and Rural Development, remarked in a recent interview, addressing Palestinians: “[S]upporting death will not bring you anything. If you do not believe that the Jewish presence here, between the Mediterranean and Jordan Valley, is forever, you are going to lose more than you have lost until now” (ABC 2024). Dichter’s statement is directed not only at Palestinians in Gaza but also in the West Bank and within the Green Line, reflecting the underlying rationality of Israel’s settler colonial mentality of government, a model deeply predicated on notions of superiority and exclusivity over the land. Most crucially, it makes one wonder about the nature of the solution that Israel envisages for the Palestinians and the nature of peace that it repeatedly reiterates it aspires to achieve without challenging the colonial present.

The election of Israel’s extreme right-wing coalition government under Benjamin Netanyahu, which includes figures like Itamar Ben-Gvir and Bezalel Smotrich and amplifies a growing messianic rhetoric, has often been cited as a factor exacerbating the colonial reality in the Israel-Palestine. However, statements advocating for Zionist sovereignty from the Mediterranean Sea to the Jordan River, such as those made by Avi Dichter, reflect a longstanding view within Zionist leadership that predates the establishment of the state of Israel. Ironically, Dichter’s stance might even be seen as a compromise compared to earlier Zionist aspirations. For instance, in 1918, Zionist leaders proposed that “a Jewish Palestine should include southern Lebanon up to the Litani River so that the Zionist state could ‘control all water resources up to their sources’” (Slater 2021, 44). They also demanded that “the Jewish state’s eastern boundary be extended east of the Jordan River to include all of Transjordan,” with some proposals even including the Sinai Peninsula (Slater 2021, 44). Simha Flapan has documented how David Ben-Gurion’s territorial ambitions were expansive, he frequently reminded his Arab interlocutors of the historic boundaries of Eretz Israel, advocating for these boundaries since 1918 and using biblical references to justify settlement on both sides of the Jordan River [In talks with Arab leaders in 1934-1936] (Slater 2021, 46).

Accordingly, the Yishuv’s acceptance of the 1947 UN Partition Plan was always intended as a preliminary step toward Zionist sovereignty over all of Mandate Palestine. Ben-Gurion expressed this viewpoint in a letter to his son, stating, “[A] partial Jewish state is not the end, but only the beginning...” (Bar Zohar 1977) and emphasising that the Zionist aspirations could not be

contained by international agreements. Earlier, while clarifying his support for the 1937 Peel Commission partition recommendation, Ben Gurion elaborated “[T]he acceptance of partition does not commit us to renounce Transjordan; one does not demand from everybody to give up his vision. We shall accept a state in the boundaries fixed today, but the boundaries of Zionist aspiration are the concern of the Jewish people, and no external factor will be able to limit them” (quoted in Chomsky 1984, 161). This stance was evident in the Zionist leadership attitude, which despite accepting the Partition Plan, did not consider itself bound by its borders. This paved the way for the expansion of Zionist sovereignty over significant parts of the territory designated to the Arab State by 1949, as soon as the opportunity arose, including the extension of suffrage rights to the Palestinians within these areas, which was used as a strategy to expand Zionist control over these territories.

Ben-Gurion’s ambitions did not end with the ceasefire agreements. Tom Segev and others have documented how Ben-Gurion viewed the Green Line as a provisional border, open to future adjustments (Segev 2019). Michael Bar-Zohar notes that Israeli archives and Ben-Gurion’s diary contain abundant proof that he continued to secretly plan the next stage, in which he would achieve his territorial ambitions (Bar-Zohar 1977). Similarly, Livia Rokach found evidence that a major war against Egypt aimed at the territorial conquest of Gaza and the Sinai was on the Israeli leadership’s agenda at least as early as the autumn of 1953 (Rokach 1980). The occupation of the remaining Palestinian territory in 1967—including East Jerusalem, the West Bank, the Gaza Strip, and the Sinai Peninsula—can thus be seen as the realisation of these expansionist ambitions, often justified through security ideologies, such as the notion of a ‘preventative war’ and the perceived need for a larger Israel to provide ‘territorial depth’ (Slater 2021).

This outlook reflects a sustained Israeli strategy that closely intertwines territorial ambition with security concerns, a perspective that has profoundly shaped Israeli policy towards the occupied Palestinian territory, creating a self-perpetuating cycle in which security measures serve to justify territorial expansion. As Jerome Slater argues, the expansionist aspirations of Zionist leadership and their security-defensive rationale are so deeply intertwined as to be “impossible to separate” (Slater 2021, 112). This blend of territorial ambition and security rationale continues to characterise Israel’s approach to the occupied Palestinian territory, as reflected in the Likud Party’s 1977 manifesto and the 2018 Basic Law: Israel Nation State of the Jewish People. The Likud Party Manifesto for the 1977 elections explicitly underscores this interplay, declaring that the Jewish people’s right to the Land of Israel is “eternal and indisputable” and that sovereignty over the entire territory must remain exclusively Israeli: “Judea and Samaria will not be handed to any foreign administration; between the Sea and the Jordan there will be only Israeli sovereignty.” Simultaneously, the manifesto warns that any “plan which relinquishes parts

of Western Eretz Israel... and leads to the establishment of a 'Palestinian State' jeopardizes the security of the Jewish population, endangers the existence of the State of Israel, and frustrates any prospect of peace."

This territorial, expansionist rationale is also clearly reflected in the 2018 Basic Law: Israel as the Nation-State of the Jewish People. The Basic Law declares the Land of Israel to be the historic homeland of the Jewish people, defining Israel as their exclusive nation-state while notably omitting specific borders. This ambiguity grants the state broad discretion in defining its geographic boundaries, which can undermine Palestinian self-determination. By emphasising the expansion and consolidation of Jewish settlements as a national value, the law implies that Israel's boundaries might extend beyond the 1948 borders (Saïd 2020). Similarly, figures like Prime Minister Benjamin Netanyahu have long asserted Israel's claim to the entire territory of Mandate Palestine, consistently denying any framing of Israel as an occupying force. Netanyahu has frequently stated, "The Jewish people are not occupiers in their own land—not in our eternal capital Jerusalem, not in the land of our ancestors in Judea and Samaria" (Magid, 2024). Recently, his coalition government passed a resolution rejecting the establishment of a Palestinian state all together, asserting that it would pose an "existential danger to Israel and its citizens, perpetuate the Israeli-Palestinian conflict, and destabilise the region" (Aljazeera 2024) closely aligned with the 1977 Likud manifesto. This perspective, which has long underpinned Israel's (un)declared position towards the Palestine Question, leaves no room for Palestinian sovereignty anywhere in the territory of Mandate Palestine beyond limited self-governance in disconnected enclaves, reminiscent of the Bantustans established under South Africa's Apartheid regime.

This approach does not only characterise Netanyahu, the Likud Party or their right-wing allies. It reflects a deeply rooted, long-term strategy by Israeli leadership that seeks not only the physical occupation of land but also a hegemonic control over the Palestinians, the narrative and historical memory of the region. For instance, also former Israeli Prime Minister, Yitzhak Rabin, outlined a vision for a future agreement with the Palestinians that envisioned an "entity, less than a state" much similar to his predecessors. The Oslo Accords and what Rabin offered the Palestinians, according to Seth Anziska (2018), followed a template for a sub-sovereign Palestinian entity based on a blueprint introduced by Begin at Camp David fifteen years earlier, focused on limited Palestinian local autonomy rather than true self-determination and independence. The rejection of a Palestinian state and recent revival of interest in the autonomy plan among right-wing Israeli politicians underscores the deep imprint it continues to have on Israel's approach to the Palestinians (Anziska 2018, 13). Today, the primary disagreement among Zionist parties across the political spectrum is not over the principle of denying Palestinian statehood, which has a consensus amongst all Zionist parties, but rather over the scope

of this autonomy awarded to this sub-state entity — whether it should be narrowly defined or somewhat more expansive, which constitutes the main difference between Zionist left and Zionist right in Israel’s political sphere.

Foundational work is still needed to determine whether, as Joel Singer—former Legal Adviser to the Israeli Ministry of Foreign Affairs—argues, Rabin “genuinely intended the Oslo version of autonomy to be a real transitory arrangement that would ultimately lead to the creation of a separate Palestinian political entity” (Singer 2019, 1). Regardless, as Joseph Massad contends, “the Oslo Accords were in effect the best expression of the century-old Berlin Conference’s ‘right’ of the Palestinians ‘to dispose of themselves’ through ceding their ‘hereditary’ right to their ‘soil’ to a foreign power” (Massad 2018, 167). This perspective underscores a deep sense of injustice, viewing the Accords themselves as a symbolic continuation of colonial practices that displaced the Palestinians and stripped them of their land. While the Oslo Accords were framed as a peace process, Massad highlights how the agreements may have reinforced existing power imbalances rather than rectifying them (Massad 2018).

The latest attempt to revive the two-state solution following the collapse of the Oslo Accords is exemplified in former US President Donald Trump’s “Deal of the Century,” formally titled Peace to Prosperity (White House 2020). Widely criticised as heavily skewed in favour of Israeli interests, the plan largely dismisses Palestinian grievances. It avoids acknowledging the Palestinian experience of dispossession and loss, fails to mention the occupation, and legitimises Israeli settlements as permanent and non-negotiable. The plan also removes Jerusalem from negotiations, designating it as Israel’s undivided capital, and dismisses the right of return for Palestinian refugees, disregarding longstanding United Nations General Assembly and Security Council resolutions. These issues, deemed pivotal in the Oslo negotiations, remain essential for any final agreement based on the 1967 borders. Instead, the plan prioritises Israeli security concerns, framing the Israeli-Palestinian conflict as a matter of Israel’s self-defence. It places much of the blame for Gaza’s humanitarian crisis on “ Hamas policies” and attributes broader Palestinian suffering to their own governance issues and violent resistance. By portraying Palestinians as corrupt, incapable of self-governance, and fostering a culture of violence and incitement, the plan reinforces the perception of them as a potential threat that requires control. Consequently, it offers Palestinians something less than a full-fledged state, instead proposing a semi-autonomous entity with limited sovereign powers. To achieve even this diminished form of statehood, Palestinians are required to recognise Israel as a Jewish state, renounce all forms of ‘terrorism’, address Israel’s security concerns, and implement significant governance reforms. Only upon fulfilling these criteria would the United States consider supporting the establishment of a Palestinian state. This approach reflects a colonial logic of what Oliver Eberl describes as making peace with

so-called “‘savage’ or ‘barbarian’ peoples” (Eberl 2015, 219). Rather than treating Palestinians as equal partners, the Trump plan imposes strict conditions on them, denying their right to full self-determination and freedom. In doing so, it redefines peace as a colonial tool of control, where terms are dictated by the dominant power rather than negotiated between equals with mutual respect. This approach mirrors a “colonial peace,” which seeks to pacify and manage a population rather than genuinely address their aspirations, subordinating Palestinian rights to a framework designed to secure the interests and authority of the occupying colonial power.

Co-opting antisemitism

The absence of a viable process that would lead to a workable settlement and just solution to the Palestine Question, combined with the multiple ongoing spectacles of violence and a state of perpetual war, has deepened Palestinian despair and loss of hope. The lack of accountability for Israel’s violations of international law, coupled with the mere performative solidarity of the international community and the complicity of Arab States and Palestinian own leadership, has left Palestinians feeling they have little to lose from confronting Israel directly. After all, as Franz Fanon asserts, “[A]t the level of individuals, violence is a cleansing force. It frees the natives from his inferiority complex and from his despair and inaction; it makes him fearless and restores his self-respect” (Fanon 1963, 94). In recent decades, nearly every form of Palestinian action—whether violent, peaceful, diplomatic, or legal—has consistently been branded as antisemitism, ‘terrorism’ or a threat to national security by Israel and dismissed by Western powers as unilateral approaches that would undermine a potential ‘negotiated settlement.’ This broad-brush labelling has served to delegitimise Palestinian efforts across the board, whether they involve armed resistance, nonviolent protests, international legal petitions, or advocacy campaigns like Boycott, Divestment, and Sanctions (BDS). This rhetorical strategy, used by successive Israeli governments, functions as a form of gaslighting (Abu Laban and Bakan 2022), wherein the Palestinian struggle for freedom is portrayed as the root cause of violence, while the deeper historical context of their struggle for self-determination is erased.

The co-opting of the language of terrorism by Israel is particularly revealing of deeper systemic issues. Rather than acknowledging the complexities of Palestinian grievances—rooted in dispossession, occupation, and systemic inequality—Israel has frequently framed any form of Palestinian political expression as a threat. For example, diplomatic efforts by the Palestinian Authority at the United Nations, aimed at securing statehood recognition or applying international law, have been labelled as ‘diplomatic terrorism.’ Similarly, legal challenges brought against Israel in international courts, particularly

concerning human rights violations, have been dismissed as 'legal terrorism' (Perugini and Gordon 2015). Even the nonviolent BDS movement, which advocates for boycotts, divestments, and sanctions against Israel in response to its treatment of Palestinians, has been condemned as 'antisemitism' intended to delegitimise Israel and deny its right to exist. These claims are often rendered redundant once examined in the context of the 1948 Palestinian struggle for a state of all its citizens, which Israel considers as a threat to state security. This is exemplified in Yuval Diskin, former Director of the General Security Service – Shin Bet, response to 1948 Palestinians Future Vision towards a state for all its citizens published in 2007, which considered their demand for equality and justice as a form of radicalisation that constitutes "a strategic danger to the state," emphasising the need to thwart any entity that seeks to challenge the Jewish and democratic character of the State of Israel, even with democratic means (Adalah 2008, 1). By framing the 1948 Palestinian quest for rights as a national security threat and various forms of nonviolent resistance as terrorism, Israel not only delegitimises Palestinian claims but also perpetuates a narrative that portrays Palestinians as inherently violent and unreasonable. This strategy reinforces stereotypes and hinders serious engagement with their demands.

Furthermore, the weaponisation of antisemitism has significantly impacted the Palestinian struggle, particularly efforts led by the BDS movement. Conflating legitimate criticism of Israeli policies with antisemitism seeks to delegitimise and discredit the movement and the broader Palestinian struggle for freedom. This tactic results in a chilling effect where accusations of antisemitism suppress voices advocating for Palestinian rights and create legal barriers against BDS activities, especially in countries that have enacted anti-BDS laws. This reframing of political opposition to Israeli occupation and apartheid as racial or religious hatred against the Jews diverts attention from the core issues of displacement, occupation, colonisation and human rights violations. Consequently, Palestinian voices are marginalised, and public discourse is skewed, making it challenging for activists to contest Israeli policies and mobilise global support for Palestinian liberation. This approach bears a striking resemblance to the tactics used by the Boers in South Africa, where the regime's longevity was bolstered by its effective use of symbolic politics centred on protection (Kaufman 2012). By invoking a narrative of constant threat and the victimization of Afrikaners, apartheid supporters exploited symbolic predispositions towards self-defence and dominance, ultimately convincing themselves of the regime's moral legitimacy (Kaufman 2012). In our case, the appropriation of the history of the Jewish people and suffering has not only convinced Zionists, but allowed the state of Israel to convince others of their regime's moral legitimacy. This created a paradox that allows the state to perpetrate and appropriate antisemitism to ensure its survival. The political influence of the Israel lobby and the historical guilt of Western leaders over the Holocaust has fostered a sense of impunity for Israel. Subsequently, the complacency of the

international community concerning Israel's treatment of the Palestinians has created a reality where the suffering of one group of people is prioritised over all others, where the mantra 'never again' is not about universal humanity but reserved only for those who qualify for its protection. This brings us back to the colonial world order we live in, where the dichotomy between the 'civilised' deemed worthy of protection and those not deserving of such protection continues to govern our everyday reality, thus emphasising the universality of the Palestine Question.

Decolonising the Palestine question

These cunning strategies utilised to rationalise and normalise the settler colonial rule do not imply that Israelis' fears are entirely unfounded. The history of the Jewish people, particularly the trauma of the Holocaust and Israel's founding narrative, framed around struggle for survival, combined with the conflation of the State of Israel with Judaism, and exacerbated by the complex dynamics of existing in a region where many perceive Israel as a foreign imposition, has ingrained a deep sense of vulnerability and insecurity within the Israeli psyche. At the same time, while fear can be a legitimate response to external threats, it is crucial to recognise how this fear is being appropriated and has come to function as a form of colonial governmentality, instrumentalised to advance colonial ambitions. Since its inception, the State of Israel has utilised the fear of annihilation to justify policies that expand its control over Palestinian lands and suppress Palestinian resistance. This appropriation of fear, and the Holocaust memory, served to rally both domestic and international support for policies that would otherwise be indefensible. In this context, Edward Said (1979, 1992) argued that Zionism's exclusive sovereignty creates a state of perpetual insecurity and exclusion, urging a rethinking of identity and coexistence beyond domination. Movements like Matzpen, a left-wing movement founded in Israel in the 1960s, have long argued that the Zionist project is inherently colonial and that settlement expansion is not just about security but is also a tool for perpetuating Zionist hegemony in the region. They called for the de-Zionisation of Israel – a process they believed was necessary to dismantle the exclusionary structures of the Zionist state and foster a just society. They argued that the liberation of both Palestinians and Jews is intrinsically linked and true peace and equality could only be achieved through a political framework that transcended Zionism and embraced bi-nationalism or socialism. In their views, Zionism, in its current form, binds Jews to a state that perpetuates violence and colonial domination, ultimately compromising the long-term security of both people (Bober 1972). Judith Butler also critiques the ways in which fear and insecurity have been instrumentalised to justify exclusionary and violent policies within the Zionist framework. Butler argues

that the insistence on a Jewish state, premised on the exclusion and marginalisation of Palestinians, transforms fear into a political doctrine that entrenches Jewish identity within a state of perpetual conflict and alienation. According to Butler, this approach, while ostensibly aimed at safeguarding Jewish identity, paradoxically traps Jews in an unending cycle of hostility and vulnerability. Butler suggests that breaking free from this cycle requires rethinking Jewish identity and security in ways that are not tied to exclusive territorial sovereignty or the marginalisation of others but are instead rooted in ethical cohabitation and mutual recognition. For Butler, addressing Israeli fear in a way that fosters lasting peace demands decoupling this fear from policies of domination and colonisation that have come to define the Zionist project. She argues that the true path to security lies not in the continued occupation and subjugation of Palestinians but in a radical transformation of the political, economic, and social structures sustaining the colonial reality. This vision calls for a reimagined Jewish identity that embraces existence over exclusion and shared security over territorial dominance (Butler 2012).

The Palestine Question, much like the historical Jewish Question, is deeply entrenched in the history of racism, colonialism and domination. While the Jewish Question was a racist construct that sought to exclude Jews from European society, the Palestine Question has emerged as a colonial dilemma, primarily concerned with reconciling the Zionist colonisation of Palestine with the inherent rights of its native inhabitants. Decolonising the Palestine question requires not only challenging the Zionist narrative but also deconstructing the colonial epistemes that underpin it. It requires recognition that the struggle is not just about territorial 'disputes' or statehood but about challenging a settler-colonial system that seeks to erase Palestinian presence, rights, and sovereignty. Decolonising Zionism means dismantling the power structures and ideologies that uphold the status quo and exploring new forms of political organisation that emphasise justice and equality for all people residing in the territory of Mandate Palestine. This process demands a fundamental rethinking of notions of security and freedom – of what it means to be secure and what it means to be free – recognising that the liberation of Palestinians from colonial oppression and the liberation of Jews from the cycle of fear are inherently linked endeavours.

A decolonised vision envisions a future where both Palestinians and Israelis live in equality, equity and dignity, where genuine security is derived from justice rather than domination. This requires a break from the zero-sum logic that has long defined Israeli policy and a move towards a politics of inclusion, recognition, redistribution and shared sovereignty. However, persuading the powerful to give up their privileges is one of the main challenges to realising a decolonial reality. The challenge of dismantling the privilege of the coloniser is contingent on realising the freedom of the oppressed. Fanon explains that colonial systems deeply entrench identities, creating a psychological

dependency where the coloniser clings to privilege as the core of their identity. This dependency not only sustains the coloniser's sense of superiority but also makes it profoundly difficult for the privileged to relinquish control, as it requires confronting the structures that underpin their sense of superiority (Fanon 1963). Echoing Fanon's critique of colonialism, Paulo Freire describes how the oppressor class internalises feelings of superiority, often resisting change because liberation threatens their self-worth and status (Freire 1970). Similarly, James Baldwin emphasises that the journey toward justice demands that those privileged by racial hierarchies confront their own internalised superiority—a deeply challenging process requiring a redefinition of self, separate from colonial or racial privilege (Baldwin 1963). Zionist privilege is rooted in a sense of superiority and exclusivity over the land, reinforced by the belief that Jewish claims to historic Palestine take precedence over those of the native Palestinian population. This ideology frames sovereignty as a right exclusive to Jewish Israelis, marginalising Palestinian claims to land, identity, and self-determination. This sense of privilege manifests in policies that aim to secure Jewish dominance, from settlement expansions to restrictions on Palestinian mobility, reinforcing a hierarchy that places Palestinians in a perpetual state of subordination. This exclusivity is not merely a product of individual bias but is embedded in legal, social, and political systems that maintain power asymmetries between Israelis and Palestinians. It is a structure that justifies continued control over Palestinian territories and erases Palestinian presence and rights in the narrative of the land's history.

The privileging of one group's rights over another's entrenches a system of domination that is deeply challenging to dismantle since it is intertwined with global colonial dynamics, sustained by ideological beliefs, geopolitical interests, and economic alliances rooted in settler-colonial entitlements. At its core, Zionist privilege draws on a colonial, nationalistic, self-preserving and messianic belief justifying exclusive land rights, positioning Israel as an exceptional state with a divine or historical mandate. This narrative is not unique to Israel but can be seen across varied settler colonial histories from the U.S. *manifest destiny*, an ideology asserting that Americans were chosen by God to expand across North America (Mountjoy 2009), to the Afrikaner Calvinist's use of divine narrative to cast themselves as chosen people, much like the Israelites, with a God-given right to rule the land and subjugate the Indigenous African populations (O'Donovan 2013). This narrative is also supported by Western powers, particularly the US, the former European colonial power and other post-colonial settler colonies, which regard Israel as a strategic partner in the Middle East, often under the pretext of shared 'civilisational' values. Just as colonial systems have legitimised territorial control and economic extraction globally, Zionist privilege operates within a framework that dehumanises Palestinian resistance, framing it as a threat to stability. This dynamic creates a climate of international complicity where economic, military, and political backing

perpetuates the occupation, erasure of Palestinian history, and suppression of indigenous rights. Dismantling Zionist privilege requires challenging these entrenched systems, rejecting ideologies of superiority, and embracing global solidarity that prioritises justice and the equitable rights of all peoples.

Accordingly, the struggle for Palestinian rights is intrinsically connected to the global fight against racism, colonialism, and oppression. It is about reimagining new forms of existence that are predicated on equity, dignity, and respect for all individuals. Decolonising the question of Palestine is an integral part of broader efforts to forge a world where freedom and peace are universally attainable. This transformation requires a fundamental rethinking of international relations and domestic politics, advocating for systemic changes that prioritise human rights and dismantle the architectures of colonial control. It also requires a shift from performative solidarity towards transformative solidarity – from symbolic gestures towards deeper, active commitment to dismantling the structures and systems perpetuating oppression. In recent years, and especially following the escalation of violence in Gaza, there has been a significant awakening and growing global awareness around Palestinian rights and the longstanding struggle for liberation. Public opinion, particularly across social media platforms and in the most recent students' demonstrations, has increasingly spotlighted Palestinian voices and highlighted their lived realities under occupation, dispossession, colonisation and systemic inequality. Grass-roots movements, and international organisations, especially the discussions at the ICJ, and the arrest warrant issued against Netanyahu and Galant by the ICC have amplified calls for justice, while solidarity initiatives—often aligned with other global justice movements, such as Black Lives Matter and Indigenous rights campaigns—have drawn connections between the Palestinian struggle and broader anti-colonial and anti-racist struggles (Davis 2016). This shift has led to increased efforts among advocates, activists, and academics to reframe the conversation on Palestine from one of 'conflict' to one of human rights and liberation, emphasising the need to address the root causes of Palestinian suffering (Pappé, Dana, and Naser–Najjab 2024; Collins 2010). Despite the challenges, Boycott, Divestment, and Sanctions (BDS) campaigns, as well as advocacy for international accountability, have gained momentum, challenging institutions and governments to confront policies that sustain settler colonial domination and inequality. This recent wave of solidarity represents a shift from viewing the situation as an isolated issue to recognising it as part of a larger movement for decolonisation and universal human rights, as more people actively support Palestinian freedom, challenging the Zionist narrative. This is just a beginning, but it is where Palestinians draw their hopes for a better future where their right and humanity are fully recognised and respected.

About this edited book

This edited volume seeks to contribute to this broader project of decolonisation by bringing together diverse perspectives and critical examination of the Palestine Question. It seeks to challenge dominant narratives, highlight the resilience and agency of Palestinians, and explore new pathways for justice and liberation in the face of ongoing occupation and colonialism. The volume is divided into five sections that discuss the question of Palestine from multiple angles, including the question of refugees, the predicament of the PA, the settler colonial modes of Israeli control, the Palestinian cultural resistance and the international coalitions that are forming, shifting the international performative solidarity into transformative solidarity towards decolonisation and liberation.

Debating Palestine and the settler colonial regime

The first section, ‘Debating Palestine and the Settler-Colonial Regime’, critically examines the systemic structures and dynamics that sustain Zionist settler-colonial control and their far-reaching impact on Palestinian lives, governance, and sovereignty. By exploring the intersections of political economy, security coordination, legal frameworks, and historical narratives, this section reveals how mechanisms of economic dependency, political repression, and territorial expansion entrench colonial domination while undermining Palestinian self-determination. These chapters collectively shed light on the resilience and resistance of Palestinians navigating these oppressive systems, reframing their struggle as a pursuit of justice and liberation in the face of enduring colonial realities.

In “Profits over Palestine: Cronyism, Monopolies, and Patronage,” Tareq Dana and Rami Salameh provide a critique of the political economy surrounding the PA, exposing the role of private business interests and foreign aid in sustaining a compromised leadership. They argue that the Oslo Accords facilitated a system of cronyism and monopolistic practices encouraged by both Israeli influence and international donors. This entanglement, they contend, has eroded the PA’s capacity to represent Palestinian national interests, embedding economic dependency and fostering a system that prioritises the economic elite at the expense of broader Palestinian aspirations for liberation.

Alaa Tartir’s “Three Decades and Counting: Assessing the Oslo Accords through a Security Lens” critiques the Oslo framework from a security perspective. Tartir argues that security coordination between the Palestinian Authority (PA) and Israel, far from achieving peace, has become a tool of internal repression, deepening Palestinian fragmentation and oppression. By transforming the PA into a quasi-policing entity, this security arrangement subverts Palestinian self-determination, effectively aligning PA forces with Israeli security objectives rather than with Palestinian liberation.

In “Israel’s Regime of (No)Torture: Legality, Impunity, and the Never-Ending Threat,” Basil Abdelrazeq Farraj examines Israel’s evolving methods of torture and control over Palestinians, particularly since the Second Intifada. Farraj argues that Israel has refined its practices to make torture more covert and legalistic, framing it in ways that maintain an appearance of legality while avoiding accountability. This shift, he explains, aims to depoliticise and subjugate Palestinians while granting Israeli authorities’ impunity, reinforcing an apparatus of control that is both violent and structurally protected.

Atwa Jaber’s “The Israeli Annexation of the Jordan Valley: A History of Settler-Colonial Expansion” investigates Israel’s longstanding expansionist policies in the Jordan Valley. Jaber traces the roots of this annexationist agenda, illustrating how Israeli settlement policies continue to encroach on Palestinian land and livelihoods in a bid to further entrench Zionist control. The chapter situates the annexation as part of Israel’s broader settler-colonial project, highlighting the ways in which this expansion has undermined Palestinian communities and intensified dispossession.

Finally, in “Suffrage Rights in a Settler Colony: 1948 Palestinians Between Loss of Sovereignty and *Sumud*,” Ibrahim Saïd critically examines Israel’s extension of voting rights to Palestinian citizens, often presented as a sign of democratic inclusion. Saïd challenges the notion that these rights reflect Israel’s democratic nature, arguing instead that they serve as a colonial strategy of elimination that represents their loss of sovereignty, resulting in their exclusive inclusion and subjugation to the Zionist political project.

Hydropolitics and environmental policies

The second section, ‘Hydropolitics and Environmental Policies’, explores the critical intersections of environmental management, resource control, and colonial domination in Palestine under Israeli occupation. Through an analysis of water politics, environmental degradation, and the politics of nature, this section highlights how environmental policies are wielded as tools of settler-colonial control while also serving as spaces for Palestinian resilience and resistance. By examining Israel’s strategic use of water and land resources to entrench separation and constrain Palestinian autonomy, the legal inadequacies in addressing environmental harm under military occupation, and the preservation of traditional farming practices amidst ecological transformation, the chapters collectively reveal the profound environmental dimensions of the Palestinian struggle for sovereignty, justice, and cultural survival.

In “The Fluid Spatial Dimensions of Israel’s Settler Colonisation of Palestine: Hydropolitics in Wādī Fūkīn,” Anita De Donato analyses the role of water politics in Israel’s settler-colonial control over Palestine, focusing on the West Bank village of Wādī Fūkīn. Through examining Israeli water and urban

policies, De Donato reveals how Israel's strategic resource control reinforces separation policies and constrains Palestinian autonomy, questioning the PA's role in peacebuilding. She illustrates how daily Palestinian resistance strategies emerge within a fragmented system of spatial and resource management, ultimately showing that Palestinian struggles for sovereignty are continuously thwarted by Israel's entrenched mechanisms of control.

Maïs Qandeel's "The Palestinian Environment under Israeli Military Occupation: An International Humanitarian Law Perspective" provides a legal analysis of environmental degradation in the oPt under Israeli military control, focusing on issues like resource exploitation, land contamination, and waste mismanagement. Reviewing the applicable provisions of International Humanitarian Law (IHL)—including the Hague Regulations, the Fourth Geneva Convention, and ENMOD—Qandeel examines how these rules are insufficient for effectively protecting the environment under military occupation. Additionally, she explores International Environmental Law (IEL) principles, such as those in the Rio Declaration and the Draft Covenant on Environment and Development, as complementary frameworks. Ultimately, Qandeel advocates for stricter international regulations to close regulatory gaps, highlighting the need for accountability mechanisms to address environmental harm and enforce state responsibility for damages in occupied territories.

Finally, in "Decarbonising Palestine: Politics of Nature and Weather in Local Historical Framing Knowledge," Mauro Van Akin examines the enduring link between Palestinian farming traditions and the politics of nature under Israeli occupation. It explores how Israel's nation-building has redefined "nature" through afforestation and land expropriation, erasing Palestinian cultural ties to the landscape. Van Aken highlights resilient Palestinian agricultural practices, particularly *al-murba'nia*—traditional weather knowledge—demonstrating its role in sustaining Palestinian identity and ecological resilience amidst occupation.

Refugees and diaspora

The third section, 'Refugees and Diaspora', delves into the enduring challenges facing Palestinian refugees and the diaspora, emphasising the legal, political, and social dimensions of displacement. This section highlights not only the systematic denial of refugees' rights but also the resilience and agency of Palestinian communities across different contexts, from Lebanon to Syria to Chile. Through diverse lenses, these chapters underscore the complexities of refugee identity, resilience, and activism while challenging the dominant narratives that often marginalise or depoliticise the Palestinian diaspora. This section underscores the need for international accountability and support, calling for a reframing of refugee rights that goes beyond humanitarian aid to embrace justice, agency, and the right to self-determination.

In “The Actuality of the Palestinian Refugee Question: An International Law Perspective,” Francesca Albanese and Lex Takkenberg address the persistent denial of Palestinian refugees’ internationally recognised rights, including the rights to return, restitution, and compensation. Despite these well-established principles under international law, the authors argue that political reluctance and systemic barriers have obstructed their realisation. Albanese and Takkenberg call for a paradigm shift, advocating a renewed commitment from the international community to resolve the refugee question, which has been in limbo for over 70 years. Their legal analysis calls for accountability and a revitalised approach that centres on justice for refugees rather than geopolitical compromises.

Jalal Al Hussein’s “UNRWA: An Agency at the Crossroads of Humanitarian, Development, and Political Claims” examines the complex role of UNRWA in managing the needs of Palestinian refugees. Al Hussein provides a historical analysis of UNRWA’s mandate, showing how the agency has attempted to balance humanitarian, developmental, and political demands. In the face of decreased international funding and shifting political agendas, Al Hussein reflects on the uncertain future of UNRWA, highlighting the tension between its humanitarian mission and the political constraints that shape its operations.

Sergio Bianchi, in his chapter “‘We Want to Live in Dignity to Return’: Palestinian NGOs and the Symbolic Representation of Palestinian Refugees in Lebanon,” explores how Palestinian NGOs in Lebanon use narratives of dignity to advocate for refugee rights. Bianchi demonstrates how these NGOs resist dominant representations imposed by political elites, instead framing dignity as a core element in the struggle for Palestinian rights and the right of return. This narrative not only challenges reductive stereotypes but also empowers refugees by framing their aspirations through a lens of agency and resilience.

Nell Gabiam’s “Ordinary Agents: Palestinian Refugees as Providers of Care, Education, and Protection during the Syrian War” focuses on the lived experiences of Palestinian refugees in Syria. Gabiam highlights the agency of refugees who have taken on roles as providers of care, education, and protection amidst the turmoil of the Syrian conflict. Her work underscores how these refugees, despite facing displacement and violence, have stepped into roles traditionally held by aid organisations, showing resilience and solidarity within the community in times of crisis.

Finally, Nadia Silhi Chahin’s chapter, “The Palestinian Community in Chile: Distant in Time and Space, yet Politically Close to Palestine,” examines the unique role of the Palestinian diaspora in Chile. Chahin argues that this community has maintained a strong political and cultural connection to Palestine despite their geographical distance. Through active support for Palestinian rights and contributions to the global movement for justice, the Palestinian diaspora in Chile exemplifies the powerful role that diasporic communities can play in supporting and amplifying the struggle for liberation.

Cultural resistances

The fourth section, 'Cultural Resistances', explores the vital role of art, literature, and intellectual traditions in the Palestinian struggle for liberation, identity, and self-determination. Through diverse mediums, from storytelling and embroidery to graffiti and intellectual activism, these chapters reveal how cultural expressions serve as acts of resistance against the erasure of Palestine. They highlight the ways Palestinians preserve collective memory, reclaim narratives, and challenge dominant discourses, offering a profound testament to the enduring power of culture in confronting colonial oppression. This section underscores the transformative potential of imagination, creativity, and knowledge production as tools for resilience and liberation, while emphasising the inseparable link between cultural practices and the broader pursuit of justice and freedom.

Steve Sabella's chapter, "The Parachute Paradox," offers a profound reflection on the personal and collective experiences of Palestinians under Israeli occupation. Using powerful metaphors, Sabella delves into themes of identity, resilience, and imagination as tools of liberation. He highlights cultural resistance through Palestinian traditions like embroidery and emphasises the transformative power of art and storytelling in envisioning freedom. The chapter calls for global accountability and justice, asserting that true liberation begins with decolonising the imagination and fostering collective transformation.

In "The Catastrophe: Al-Nakba, in Palestinian Fictions," Wasim Dahmash explores the representation of the 1948 Nakba in Palestinian literature. Dahmash argues that these literary narratives are more than historical accounts—they are acts of cultural resistance that defy efforts to erase Palestinian history. By memorialising the Nakba through fiction, Palestinian writers not only preserve collective memory but also challenge hegemonic narratives that deny Palestinian displacement and suffering.

In "Filming Palestinian Graffiti, Engaging Science: Sharing Power and Authority on Knowledge Production," Tamara Abu Laban and Clémence Lehec investigate the significance of graffiti as a form of resistance in Deheisheh refugee camp. They illustrate how graffiti, as well as documentary filmmaking, become co-creative methods for generating knowledge and sharing experiences. By engaging directly with Palestinian refugees, the authors reveal how these artistic expressions serve as both a voice of defiance and a means of shaping narratives that resist dominant portrayals of Palestinian identity.

Mjriam Abu Samra and Luigi Achilli's "Reconnecting Intellectual Production and Activism: A Palestinian History" traces the historical and contemporary relationship between Palestinian intellectuals and the resistance movement. They argue that while the Oslo Accords ushered in a technocratic approach that distanced intellectual work from activism, a new generation of Palestinian scholars is seeking to reconnect the two, drawing inspiration from anti-colonial

and liberation frameworks. This reconnection signifies a return to intellectual production that is deeply rooted in activism, fostering a culture of resistance that speaks to the aspirations for Palestinian liberation.

Activism, solidarity and the struggle for Palestinian rights

The fifth and final section, 'Activism, Solidarity and the Struggle for Palestinian Rights', examines the complexities and contradictions surrounding international and internal solidarity with the Palestinian struggle, as well as the challenges facing movements that contest Zionist narratives and policies. The authors interrogate the racial, political, and democratic challenges faced by solidarity movements, illustrating how activism for Palestinian rights is frequently met with structural and ideological barriers. This section offers critical insights into how global and local activism engages with Palestinian rights, navigating the racial, political, and democratic hurdles that arise in the process. It emphasises the importance of sustained and nuanced solidarity that goes beyond symbolic gestures, challenging oppressive frameworks and advocating for transformative change that recognises Palestinian rights and self-determination.

Caitlin Procter's chapter, "'In Gaza there is no Tomorrow': Palestinian Youth Participation in Gaza's Great March of Return," brings an ethnographic perspective to youth-led resistance in Gaza. Through her analysis of the Great March of Return, Procter highlights the resilience and agency of Palestinian youth who have spearheaded nonviolent resistance despite facing severe repression. The Great March of Return serves as a powerful expression of Palestinian self-determination, underlining the role of youth in challenging Israeli policies and asserting their right to return.

In "Theory and Practice: Palestinian Youth Engagement in Frameworks of Struggle," authors Loubna Qutami, Omar Zahzah, Celine Qussiny, Nadya Tannous, and Ramah Awad examine how Palestinian youth in North America are developing a praxis that bridges theory and practice to support liberation. By engaging with anti-colonial, settler-colonial, apartheid, and racial oppression frameworks, they highlight the limitations of each when taken alone. Instead, they propose a layered, intersectional approach to activism that speaks to the broader movement for Palestinian national liberation. Their work underscores the need for a complex analysis that captures the interconnected nature of various forms of oppression faced by Palestinians, particularly in the diaspora.

In "Reading Alana Lentin: Race, Revenge and the Figure of the Palestinian in Contemporary Germany," Anna Younes draws on Alana Lentin's work to explore how racial dynamics in Germany intersect with the Palestinian struggle. Younes argues for the need to develop "racial literacy" to better understand the complex relationships between antisemitism, anti-Muslim racism, and the

Palestinian cause. This analysis reveals how dominant narratives in Europe often obscure or misrepresent Palestinian rights by conflating criticism of Israel with antisemitism, thus side-lining Palestinian voices.

Birgit Althaler, Jorge Gajardo, Mary Honderich, Anne Spagnoli, and Roman Vonwill, in “A Political Analysis of BDS Campaign in Switzerland (2010-2020),” provide an overview of the Boycott, Divestment, and Sanctions (BDS) movement in Switzerland, examining the successes and challenges it has faced. They highlight efforts to criminalise the movement and conflate criticism of Israel with antisemitism, which has posed significant obstacles. Despite these challenges, the chapter discusses how BDS Switzerland has managed to carve out spaces for solidarity, advocating for Palestinian rights within a restrictive political environment.

Ilan Pappé’s “The BDS Movement in the United Kingdom: Back to Where it All Started” continues the examination of BDS, focusing on its impact within British civil society. Pappé discusses how, despite strong opposition from pro-Israel lobby groups and the British government, the movement has found consistent support among grassroots organisations. This chapter underscores the movement’s resilience and ability to mobilise support for Palestinian rights, even in contexts where political opposition is intense.

Amro SadelDine’s chapter, “What Does the Boycott Tell Us About Democracy?,” critiques how the BDS movement exposes democratic contradictions in both the Global North and the Arab region. SadelDine highlights the disconnect between popular support for the boycott and governmental opposition, revealing how institutions often prioritise diplomatic and economic alliances over democratic principles. This chapter calls into question the democratic values of states that oppose popular movements advocating for Palestinian rights.

Finally, in “Solidarities from Within the Zionist System: Assessing Present-Day Israeli Activism for Palestinian Rights,” Alice Baroni examines the role of Jewish-Israeli activists who support Palestinian rights from within Israel. Baroni explores the inherent challenges and contradictions these activists face as they attempt to navigate a system that opposes the very rights they champion. This chapter critically assesses both the limitations and the transformative potential of solidarity efforts that emerge from within Israeli society, shedding light on the internal complexities of supporting Palestinian rights in a fundamentally oppositional environment.

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Section One

Debating Palestine and the Settler Colonial Regime

Chapter One

Profit over Palestine: Cronyism, Monopolies, and Patronage

Tariq Dana and Rami Salameh

The chapter examines the political economy of cronyism and patronage that define the Palestinian Authority's relation with a handful of private businesses in the Occupied Palestinian Territories. A closer investigation into this relationship suggests that the political-economic network that was forged and nurtured by the Oslo process, and by the manipulative practices of Israel and international donors, finds in the status quo a lucrative industry that should be preserved. Based on fieldwork and interviews, the chapter provides multiple examples of this lucrative relation such as economic monopoly practices, the influence of Palestinian capitalists on the PA decision-making, and the indirect involvement of the political elite and their relatives in private ventures. The chapter concludes that the network of cronyism and patronage is a key explanatory factor that explains the persistent obedience of the PA political and economic elite to the Oslo status quo at the expense of rebuilding the Palestinian national movement along new lines and principles.

This chapter is part of a research project carried out between 2015 and 2020 in the West Bank. An earlier research paper was published in *Third World Quarterly* (2019).



Elsewhere

2020 | 50 x 50 cm, part of a constellation of 20 artworks, mounted on matt diasec.

Source: **Steve Sabella**, <https://stevesabella.space/pages/elsewhere>

Introduction

In July 2020, several local and international human rights organisations denounced the Palestinian Authority (PA) and its security forces for arbitrarily arresting 20 anti-corruption activists during a peaceful protest held in Ramallah, demanding their immediate release. The activists were charged with “illegal gathering” and “violating the emergency rules”; charges that the PA regularly uses, among others, to intimidate dissidents and critics, especially those demanding reform and the end of rampant corruption in PA institutions. This particular protest came in response to a series of scandals involving the nepotistic appointment of disqualified relatives of the PA political elite to senior posts without undergoing proper vetting procedures. Similarly important were protestors’ allegations of corruption against the Palestine Telecommunications Company (Paltel), a giant private company that has monopolised the telecommunications sector for more than two decades.

Interestingly, in recent years, anti-corruption campaigns have realised the interlinkage between corruption in the PA public sector and the conglomerate-dominated private sector, pointing to the growing influence of a handful of capitalists over PA decision-making and policy formulation in favour of narrow elite interests. As for Paltel, it has been at the centre of public criticism since its establishment in 1995, with repeated complaints about its poor services and high prices. In fact, Paltel exemplifies the political power of conglomerates in influencing the political sphere and decision-making processes in the PA (Dana 2020). Accumulated popular discontent with Paltel resulted in the emergence of “*Bekafi ya shirkat alitisaalat*” (Enough, telecommunications company!), a grassroots campaign mobilising social constituents to challenge Paltel’s political power and monopoly. On multiple occasions, the campaign’s leading activists have been repressed, arrested, and charged with “defamation” of the telecommunications company. This also is an indication of Paltel’s capacity to influence the PA’s security and judicial institutions (see Amnesty International 2020).

The powerful Palestinian conglomerates operating in occupied Palestinian territory (oPt) emerged in tandem with the PA’s formation in 1994 against the backdrop of the global changes following the collapse of the socialist bloc and the triumph of late capitalism. The PA should be seen as a peculiar case, in that it originated from a national liberation movement to embark on a liberal state-building project without first undergoing decolonisation. Central to this peculiarity is the combination of the settler-colonial context within which the PA emerged, and its promotion by neo-colonial powers and institutions. In this context, the PA was designed to serve a whole range of functions, especially with regard to assuring political stability despite the unabated colonisation. In the mainstream political discourse, this state of affairs is dubbed

the “peace process”; a misleading depiction that continues to dominate policy circles despite more than a three decades of Oslo-induced colonisation and the repressive status quo. In this context, the PA elite has shown tireless commitment to this status quo, despite occasional rhetorical claims to the contrary that sometimes hint at dissolving the PA in response to the long-dead two-state solution at the very basis of the Oslo process. However, the PA has not taken any serious steps to challenge the status quo, and its very existence appears to have become a pillar of Israel’s colonial project in the oPt.

One satisfactory explanation for the PA’s acquiescence lies in the robust political-economic elite networks that have been nurtured by Israel and international donors to dominate Palestinian institutions. This elite found in the PA a highly profitable project that ought to be protected and legitimised under the pretext of a “national project”, a slogan often articulated by the elite to justify their actions and agendas. A close examination reveals that the elite are mostly a product of the political-economic coalition established in exile since the emergence of the modern Palestinian National Movement in the 1960s (Nakhleh 2012). This alliance grew in sophistication after the Oslo Accords and the formation of the PA and was translated into a solid patron-client network involving the Palestine Liberation Organization (PLO)/Fateh leadership and cadres, returnee capitalists, PA upper bureaucrats, and security heads. Their efforts primarily focus on securing unchallenged dominance over public institutions and the centres of economic and political power in Palestinian society. This has resulted in the emergence of “neo-patrimonial crony capitalism”, a term coined by Gilbert Achcar to refer to a predatory and corrupt capitalist system defined by political-economic collusion to capture economic resources in favour of the elite, where the practices of favouritism, the embezzling of public property, inflated bureaucracies, and the incapacity of the law prevail (Achcar 2013, 74). Such a highly distorted capitalist formation is further aggravated in the context of the PA because of its direct interaction with Israel’s settler-colonialism. After the intra-Palestinian division in 2007, this network further consolidated its grip over PA institutions, monopolised the economic realm, and boosted its relationship with Israel in economic normalisation and security collaboration.

This chapter aims to highlight the complex relationship between these political and economic actors in the oPt, with a specific focus on the West Bank and in light of ongoing colonisation and the involvement of international donors. It demonstrates the extent to which crony capitalism, patronage, and money politics have overturned the principles of national anti-colonial struggle, transforming major forces of the past national liberation movement into the institutional backbone of Israel’s post-Oslo colonial strategy toward the oPt. This helps explain the inability and unwillingness of the PA leadership to embrace an alternative strategic position that bypasses Oslo constraints. As the Oslo political-economic arrangement became highly profitable to those elite, it became undesirable for them to think outside the box.

This chapter is divided as follows: the first section provides a historical overview of the relationship between the PLO leadership and exiled capitalists, highlighting the competing ideological positions of the Palestinian factions toward the role of the capitalist class in the national struggle. The second section analyses the Oslo structures conducive to the evolution and consolidation of crony capitalism in the PA, with a particular focus on the impact of the Paris Economic Protocol. The third section focuses on the formation of Palestinian conglomerates during the early years of the Oslo 'peace' process. The fourth section studies the first generation of monopolies that existed in the 1990s, revealing the extent of complicity between PA political and security leaders and private economic networks in facilitating major corruption practices related to monopolies. The fifth section highlights the structural context after 2007 and how the donor-sponsored reform agenda consolidated crony capitalism in the PA. The sixth section highlights the second-generation monopolies (2007-present) and the intersection between the PA's public and the conglomerates' private monopolies. The final section gives an example of how PA political leaders' cronies and relatives are involved in private businesses.

The origins of the Palestinian political and economic elite

In the 1950s and 1960s, exiled Palestinian communities experienced a process of class formation that produced a new political and economic elite, effectively replacing the old elite of the pre-Nakba era. The political elite was comprised of the PLO leadership. The economic elite was embodied in the rise of exiled Palestinian businesspeople whose wealth, partially surviving the Nakba, has been part and parcel of the capital accumulation at the regional level (Hanieh 2011, 83). The interaction between these elites was shaped by the competing ideological positions of the different political movements. This was evident in the tense ideological debates among the forces of the Palestinian National Movement during the 1960s and 1970s, which aimed to determine its identity. Central to these debates were issues of major concern to the revolutionary and liberation movements at the time, such as whether to place the national capitalists in the progressive anti-colonial camp or if instead they would act in service of their own private capital accumulation and, by extension, the colonial and imperial forces (see Cabral 2009; Fanon 2007).

The largest PLO faction, Fateh, praised the role of the capitalists as a patriotic "national bourgeoisie" that would offer key material support to the national movement and, as such, retained close relations with many prominent capitalists (see Bouillon 2004; Nakhleh 2012). In contrast, the Palestinian left disputed the assumption that the capitalist class could play constructive roles in the

national liberation movement, placing it in the counterrevolutionary camp that would lead the movement towards a conservative trajectory. In addition to disputing Fatah's position, the Palestinian left also experienced heated internal debates that endangered its organisational unity. For the Popular Front for the Liberation of Palestine (PFLP), the capitalist class stood as an extension of "the business and banking interests of imperialism" they warned that "this class will stand by its own interests, that is, with imperialism against the revolution" (Popular Front for the Liberation of Palestine 1969). However, the PFLP recognised the importance of the petty bourgeoisie in furthering the goals of the national liberation struggle. In contrast, the Democratic Front for the Liberation of Palestine (DFLP) dismissed both the capitalist and petty bourgeoisie classes in the national liberation movement, asserting the sole role of the working and peasant classes to lead the national struggle (Sayigh 2000, 231). Although these disagreements dominated the subsequent decades leading up to the initiation of the Oslo process, the post-Oslo crisis of the Palestinian left has largely marginalised the question of capitalism and capitalists in the national movement, leaving the Palestinian capitalists' growing power unchallenged. As Fatah dominated PLO institutions in the late 1960s, it paved the way for exiled Palestinian capitalists to occupy formal positions in PLO centres of power, such as the Palestinian Central Committee and the Palestinian National Council (see Bouillon 2004; Nakhleh 2012). Although most capitalists were identified as independent nationalists, in practice they enjoyed strong ties with the Fateh leadership and the PLO chairperson, Yasser Arafat.

Though the Palestinian capitalists' involvement in the PLO was motivated by nationalism, their contributions to the national movement were constrained by their economic interests. For them, the limitations imposed on the processes of capital accumulation by anti-colonial activity must be circumvented. This position was reflected in their compromising position within the PLO (Nakhleh 2012). For instance, after the 1970 Black September battle between PLO combatants and the Jordanian army, Munib Al-Masri, the well-known Palestinian capitalist, helped initiate a formal channel to mediate between the PLO and the Jordanian government, which resulted in the departure of the PLO political and military forces from Jordan. Another example concerns the active role of the Palestinian capitalist Hasib Sabbagh in promoting secret contacts between the PLO and the Reagan administration in the 1980s to enhance the chances of a potential peace settlement between Israel and the PLO (Faucon 2010, 72-73). These moves occurred in close coordination with the PLO leadership.

Following the demise of the socialist bloc and the emergence of the United States (US)-led new world order, the PLO accelerated its strategic shift toward political compromise with Israel. This perception was further enforced and became a clear strategy following the PLO's political isolation and financial bankruptcy induced by Arafat's decision to support Iraq's 1990 invasion of Kuwait, which ended the Gulf states' support to the PLO. The consequences

of the PLO's political stance towards the Iraqi invasion of Kuwait were likely decisive in shifting the economic considerations of the PLO leadership in the later stages, as evident in the PA's economic policy. The signing of the Oslo Accords implied a highly pragmatic and self-serving consensus among the elite that political choices should not harm economic interests. The political move towards a peaceful settlement with Israel was accompanied by a shift in Palestinian economic thought from economic nationalism towards liberalism, embracing the free-market doctrine and economic cooperation with Israel as fundamental pillars in the process of state-building (Khalidi 2018). A group of diaspora businesspeople supported the path towards a peaceful settlement, based on their assumption that capital operations and investments would be better protected from regional instability and threat under a sovereign Palestinian state (Smith 1986).

The Oslo structure of patronage and cronyism

The institutionalisation of crony capitalism in the oPt was an inevitable by-product of the political economy framework created by the Oslo Accords (1993), the Paris Economic Protocol (1994), and the subsequent agreements signed between the Israeli government and the PLO in the 1990s. The Oslo process introduced three central factors that informed the convergence of interests between PLO political leaders and the capitalist elite.

The first and most important factor relates to the fact that the Oslo process instituted the existing power asymmetry between Israel and the Palestinians. Oslo provided Israel with all the necessary means to consolidate its colonial control over the oPt and exploit internal Palestinian dynamics to its own ends. A major aspect of the restructuring of Israel's colonial control has been outsourcing responsibility for the Palestinian population to the PA (Gordon 2008). Oslo provided Israel space and legitimacy to engineer powerful mechanisms of control over almost every aspect of Palestinian life, including the borders, natural resources, movement, and economic interchange. In particular, the Paris Economic Protocol (PEP) provided Israel control over critical PA state-building resources, such as fiscal and monetary policies, industrial zoning rights, external trade, and the general macroeconomic framework.

The PEP functioned as a mechanism for nurturing the PA's patron-client system and networks, especially through the tax-transfer system. The tax-transfer system granted Israel the power to collect customs duties on imports via Israeli-controlled ports and borders and income taxes from Palestinian workers in Israel, before then transferring them to the PA—accounting for nearly half of the PA's budget as its single largest source of revenue. These transfers have often been withheld to punish the PA if it adopts policies not

accepted by Israel. This tax-transfer system constitutes a vital source of the political rent necessary to ensure the PA's functionality, particularly by stabilising its internal patron-client system. Second, the PEP ensures that Israel can control Palestinian trade and economic investments through a wide range of measures that regularly require close coordination with, and the consent of, Israeli authorities. Thus, Israel has pushed for a specific form of capitalist development in the oPt, one that operates by the PA's distribution of "special privileges for expatriate investors" to stimulate an acquiescent political-economic order to flourish (Khan 2004, 53). Invariably, Palestinian political and business elites are subjected to an Israeli-influenced policy framework that determines the nature of the relationships between state-building and economic development processes.

A second important factor concerns international donors' and multilateral agencies' involvement in underpinning the Oslo process and guiding the PA's institution-building and economic development. High levels of aid assistance have served as another crucial form of strategic rent and encouraged certain forms of neoliberal development and governance initiatives, because these initiatives appear more likely to attract external support (Brynen 2000, 225). While donor agendas and strategies differ in minor respects, particularly between important and less important players, donor involvement in the oPt overwhelmingly mirrors manifestations of global power structures in relation to the Oslo peace process. Donor agendas have been guided mainly by liberal interventionism, expressed in the following two paradigms throughout the Oslo process: the "peace dividends" paradigm of the 1990s, and the "economic peace" paradigm after 2007. These paradigms have prioritised joint economic incentives and inter-elite compromises over the central political matters that lie at the core of the conflict. International donors' persistent support to state-building initiatives, despite the long-standing failure of the Oslo process to achieve any of its stated objectives, confirms the conclusion reached by several scholars that the flow of international financial and technical support is inherently intended to enforce stabilisation and pacification within a context of on-going colonisation (Turner 2015).

International donor politics in the oPt promoted crony capitalism in two fundamental ways. First, donor intervention is closely coordinated with Israel and money flows typically passes through Israeli channels, while the PA appears to be only a passive aid recipient with minimal negotiating power. Israeli economist Shir Hever estimates that Israeli companies and the Israeli government receive at least 72 percent of international aid because the Palestinian market remains captive to Israeli exports (Hever 2015). Furthermore, major donor policy decisions are influenced by Israel's political and security considerations. On the few occasions when the PA shows non-compliance, major donors tend to reduce or discontinue financial support to the PA altogether. Second, because donor strategies are motivated by stabilisation and pacification, international

aid constitutes a strategic form of rent-seeking that operates as a powerful instrument supporting compliant political and economic elites while excluding others considered to be destabilising actors (Turner 2011). It is therefore not surprising that the politicised nature of international aid disregards corruption practices and facilitates the centralisation of power in the hands of a few political-economic elites in exchange for political stability.

A third key aspect to consider is the way in which the PA has established a system of neo-patrimonial governance characterized by a concentration of power in the hands of a few individuals (Brynen 1995). This system involves the exploitation of modern institutions to meet the demands of donors, while also allowing for the manipulation of internal constituents through a system of patronage and patron-client relationships. The combination of both systems is mutually inclusive: while the PA commitment to donor agendas secures continuing aid, the aid, in turn, is distributed as political rent to PA constituents. Such an equation means that, as long as the PA's patron-client regime keeps people on the bottom compliant and ensures political stability, donors would not object. This is aggravated by the absence of sound legal and accountability schemes, thus paving the way for an array of corruption practices to prevail (e.g., the theft of public funds, bribes and other favours in return for services, inflated salaries, favours paid to senior PA officials to prioritise certain investments and businesses, and high-level political interference in senior civil servant appointments favouring those with close ties to predominant business actors) (Shehada 2015).

The 'peace' conglomerates

In 1994, Israel allowed thousands of PLO affiliates in exile to return to the oPt, including the PLO political leadership, the upper echelon of Fatah, and several business associates. Thus, the centre of Palestinian politics and economics was virtually transferred to the oPt, resulting in a drastic transformation of the pre-Oslo political-economic reality. While the returning Fatah leaders constituted the backbone of the nascent PA's bureaucracy and public sector, returnee capitalist groups were granted favourable treatment and invited to invest in almost every sphere of economic activity. The redefinition of the political-economic terrain in the oPt introduced contentious relationships and power struggles among the returning political and business elite and the local leadership and traditional businesses that had operated under direct Israeli occupation rule in the preceding decades. Nevertheless, these local leaders were not politically senior in the PLO ranks nor more economically developed, because most of their businesses comprised small and medium-sized firms. The international donor community's top priority was to consolidate PA rule in the face of internal opposition, and to be able to deliver security for the Israelis

by facilitating the concentration of power in the hands of Arafat and his political-economic allies (Le More 2008, 6).

The PA's economic vision has been guided by the international donor community in general, and the World Bank in particular. The neoliberal paradigm constituted the cornerstone of PA state-building and economic development, which, despite the changes in implementation due to the shifting political circumstances, has remained a guiding principle of the PA's economic governance (Khalidi and Samour 2011). The PA adopted a set of measures and created legal and institutional frameworks designed to attract international and expatriate Palestinian capital for investment into the oPt. These measures included the PA's institutional orientation towards a free-market economy, which is codified in its constitution under the PA's Basic Law of 1999. The PA also established the Palestinian Investment Promotion Agency (PIPA) in 1998 to promote an investor-friendly tax regime, known as the Investment Law. In the absence of accountability mechanisms and legislative oversight, the Investment Law was amended in 2011 and 2014 by presidential decrees that gave PIPA unprecedented power to offer further concessions to large businesses (Palestinian Economic Policy Research Institute 2014, 6). From the perspective of the PA elite, the Investment Law serves to create a legal environment that stimulates private investment and boosts economic growth. However, this law is largely regressive, benefiting a few privileged businesses at the expense of smaller economic actors and exacerbating socioeconomic inequalities.

Upon the establishment of the PA in 1994, the returnee capitalists initiated large commercial initiatives in the form of conglomerates with substantial capital and market power. Among those are two major conglomerates that dominated the private sectors during the Oslo decades. The first is the Palestinian Development and Investment Company (PADICO), established in 1993 by the wealthy Al-Masri family, with a declared capital of US \$1 billion and a paid-up capital of US \$250 million. PADICO was formed by a number of companies primarily headquartered in Jordan and the Gulf states, and swiftly became the most potent holding company in the oPt through its subsidiaries. These subsidiaries operate in various commercial sectors, such as tourism, telecommunications, real estate, industrial estate, electronics, electricity, poultry, plastics, security exchange, stock, and agriculture. Being the largest conglomerate in the oPt, PADICO's power extends to the political sphere where it exerts influence on the PA's policy design. Its members have often appeared in peace talks with Israel.

The other conglomerate is the Arab Palestinian Investment Co. Ltd (APIC), established in 1994 by Al-Aggad group and other investors with an authorised paid-up capital of US \$100 million. APIC controlled several key economic sectors through multiple subsidiaries in the food industry, public relations services, automobile, medical supplies, electric and power generation, and banking, among others. APIC enjoys political connections with the PA,

especially through Tareq Abbas, the son of PA President Mahmoud Abbas and APIC's Vice President of Corporate Affairs.

Although the Palestinian economy involves other active business entities, PADICO and APIC are the largest in terms of market dominance and political power. Both of these conglomerates ensured a well-calculated distribution of their subsidiaries, since "their grouping operates as a cartel that tends to avoid conflict and competition with one another by diving over the economic sectors to secure monopolies (Powers 2020).

Thus, not only have these conglomerates effectively dominated the private sector, they also precluded the development of smaller businesses, which consequently led to widening socioeconomic gaps and inequalities. Furthermore, most investments are concentrated in the service sector, at the expense of the productive base (agriculture and manufacturing). According to estimates, the share of manufacturing activities fell from 21.3 percent in 1995 to 13.1 percent in 2014, while agricultural productivity fell from 12 percent in 1995 to three percent in 2016. Simultaneously, the total share of services and construction increased from 67 percent to 83 percent (United Nations Conference on Trade and Development 2012). Given the non-productive nature of the service sector compared to agriculture and manufacturing, many economists assert that the service sector does not constitute a real development (Morrar and Gallouj 2016).

The first-generation monopolies (1990s)

Since its establishment in 1994, the PA built a reputation of corruption characterised by an array of rent-seeking practices, financial bribery, and public embezzlement. The most prominent large-scale practice during the early years of Oslo was elite collusion in creating monopolies over strategic sectors of the economy. These monopolies served to expand the PA's rent-seeking opportunities in order to consolidate its patron-client network. This was expressed in forging multifaceted networks that involved many prominent PA officials, security leaders, and a handful of private actors who partnered directly or indirectly in various investments. These networks were primarily controlled by Yasser Arafat and his inner circle of advisors and were directly facilitated by Israeli security and business figures (Bouillon 2004). The complicity of these actors in shaping these dynamics was then described as a "security-monopolistic complex" manipulating the economic resources of the state-building process in favour of the narrow interests of the elite and their cronies (Hajo 1998).

These monopolies can be summed up in two primary forms: private and public. Private monopolies are those awarded by the PA to favoured conglomerates as exclusive licences to run large-scale projects in privatised sectors such as infrastructure, electricity, and telecommunications. The largest monopoly

was constituted by the establishment of the Paltel in 1995 as a PADICO subsidiary, which owns exclusive monopoly over all types of telecommunications, including fixed lines, contacts, media services, the internet, and cellular services. Almost all Paltel services, including all international traffic for landlines, cellular, and internet lines, must be routed through Israeli providers, thus making the company Israel's largest dependent client (Tawil-Souri and Aouragh 2014). During the 1990s, Paltel had been publicly accused of corruption and misuse of power. For example, it was revealed that Paltel "does not collect telephone bills from ministries, governmental establishments, major shareholders and officials, and it redistributes these costs to other customers in the form of higher charges" (Nasr 2004, 179). Paltel also was directly involved in economic normalisation, and some of its shares were owned by Israeli companies such as the Israeli Peace Technology Fund (PTF).

In contrast to private monopolies, public monopolies are exercised by companies created and owned by the PA. Public monopolies were concentrated in the import of strategic commodities such as tobacco, fuel, and foods. The largest companies were the West Bank-based Palestinian Commercial Services Company (PCSC), headed by Khaled Salam, and Al-Bahr Company in Gaza, headed by Hashim Abo Nada. Both men were advisers to Arafat. These two companies held significant shares in various private companies, including PADICO and APIC, and enabled public officials to engage in business activities through privileged access to contracts, licenses, and exclusive dealerships (Sayigh et al. 1999, 19). These business activities were partially conducted through public-private initiatives, including the Electricity Distribution and Management Project, Palestine Industrial Estate Development and Management Company, and the Gaza Water and Sanitation Service.

The PA public monopoly system was supported by the Israeli authorities through informal partnerships with former Israeli security figures to facilitate the import and supply of these imports through Israeli-controlled ports (Bouillon 2004; Roy 2001, 12). This collaboration was largely profitable to the PA figures involved in these monopolies, especially through reduced transaction costs. Moreover, substantial amounts generated by these monopolies were often off-budget and were used to finance the PA's "secret accounts" in foreign and Israeli banks (Hilal and Khan 2004, 79).

The consolidation of crony capitalism after 2007

The post-second Palestinian intifada was shaped by internationally sponsored large-scale reform that re-institutionalised the PA's crony relations with the business class along new parameters. First, the neoliberal policies embraced by PA Prime Minister Salam Fayyad (2007-2013), and maintained

by the subsequent governments, have been accompanied by legal and institutional reforms that effectively regulated the PA's business relations along ostensibly 'professional' principles. Second, the PA's security reforms reintroduced well-trained security forces specializing in internal policing that became heavily involved in suppressing the public sphere and any opposition to the PA, including voices critical of PA corruption. Third, the increasing international aid to the PA after 2007 expanded rent-seeking opportunities and allowed the PA to extend its patron-client system to incorporate many political factions, civil society organisations, and trade unions. Fourth, Israel offered a range of incentives and privileges to secure the Palestinian elite's compliance in serving Israeli security interests.

Shortly after the internal Palestinian division between Hamas and Fatah in 2007 and the subsequent institutional division between the West Bank and Gaza, Israel and international donors intensified the PA reform process, creating a fertile environment for political-economic crony relations to prevail, sustained by heavy-handed security measures. This was made possible by the harmonious interaction between the policies of the PA Prime Minister Salam Fayyad—widely dubbed Fayyadism—and the Israeli "economic peace" policy spearheaded by the Israeli Prime Minister, Benjamin Netanyahu. Both policies operated heavily in the economic and security spheres. Fayyadism is closely associated with the large-scale implementation of neoliberal economic policies, which faithfully followed World Bank recommendations to promote the private sector and export-led economic development (Khalidi and Samour 2011). This dynamic was endorsed by the rebuilding of the Palestinian security forces under the auspices of US Lieutenant General Keith Dayton, who equipped the PA security forces with professional skills of internal policing and "counterterrorism" and redefined the PA security agenda to serve Israeli security interests (Tartir 2017).

By the same token, the Israeli "economic peace" policy in the West Bank emphasised the role of economy and security to achieve "peace" and stability. This logic is premised on the assumption that active economic and security collaboration would institute the conditions for political stability and economic prosperity, leading in the long run to the far-reaching pacification of the population necessary for attaining comprehensive peace. Thus, Israel facilitated unprecedented and large-scale investments by selected Palestinian capitalists, whose operations depended primarily on Israeli businesses and suppliers (Abunimah 2014, 29).

International donors generously invested in this political-economic order. In 2008 and 2010, the Palestinian Investment Conference (PIC) held in Bethlehem assembled diverse officials and businesspeople representing the US, the European Union (EU), and the Arab states, alongside many Palestinian and Israeli figures. Titled "Palestine Open for Business", the conference promoted and financed a wide range of economic projects such as the construction of

Rawabi city near Ramallah, multiple industrial zones, banks and financial institutions; the conference also directed generous investments to Paltel in order to develop the telecommunications sector (Palestine Investment Conference 2010). The large Palestinian private conglomerates, such as PADICO and APIC, have also been major receipts of foreign investments.

The second-generation monopolies (post-2007)

Since 2007, PA reforms have reconfigured the mode of monopoly that existed during the 1990s, transforming it into a legalised system characterised by the disproportionate market power of the conglomerates. The second-generation monopolies have been sustained by persistent market manipulation to prevent other businesses from entering into meaningful competition. The PA's public and public-private monopolies have been centralised in the form of the Palestinian Investment Fund (PIF), founded in 2003 to replace the ill-reputed PCSC and Al-Bahr companies. Although the PIF was formed as a sovereign wealth fund ostensibly independent from the PA, its Board of Directors and senior staff are appointed by the PA's president and include key figures representing PADICO and APIC and other large companies.

The PIF is a striking example of the conflicts of interest and collusive relationship between the PA elite and the capitalists in dominating the pillars of the Palestinian economy. The former US adviser to the PA, James Prince, reported in 2014 that:

The Palestinian Investment Fund (PIF) is one of the most obvious and controversial tools used by Abbas to wield influence and direct favours... the PIF has largely operated as an extension of the Presidency, a tool by which to curry favours, lavish gifts, and marginalize critics... Under the rubric of creating jobs, the PIF serves as an economic powerbroker. Increasingly, the Fund is viewed by average Palestinians as epitomizing the corruption associated with the intertwining of power, politics, and business. (House Foreign Affairs Committee 2014)

Not long ago, PIF Chairman Mohammad Mustafa was at the centre of a controversy that exposed the scale of this relationship. He was described in the media as the most important man in the Palestinian economy. As a critical power player, Mohammad Mustafa occupied multiple positions in the private and public sectors. Besides chairing the PIF, he is also an economic adviser to the president and formerly served as the PA's Minister of the Economy and Deputy Prime Minister for Economic Affairs. Mohammad Mustafa is a prominent actor in the private sector where he led several initiatives, including as the founding Chief Executive Officer (CEO) of Paltel and member of APIC's Board of Directors. At the same time, PIF has substantial ownership of APIC, estimated at 15.70 percent (Mubasher Palestine n.d.). Interestingly, as the

key link between PIF and APIC, Mohammad Mustafa was mentioned in the 2016 Panama Papers (Offshore Leaks Database 2015). Though lacking details regarding the kind of offshore investments, the involvement of Palestinian figures and enterprises in the Panama Papers hints at the discreet transnational commercial activities of Palestinian capital.

Since its inception in 2003 and through 2017, the PIF achieved a cumulative net profit of US\$1.036 billion (Palestine Investment Fund 2018). The PIF invests in high value-added strategic sectors such as infrastructure, conventional and renewable energy, real estate, tourism, technology, industry, banking and the financial market, and agriculture, among other sectors. The PIF's strategic monopoly is evident in its control over 90 percent of the cement market in the West Bank, which is exercised through its subsidiary, the Construction Industries Company (Sanad). Behind Sanad stands the Israeli Nesher Cement Enterprise, which exerts an overall monopoly over the Palestinian cement market, and supplies Sanad with all cement materials and clinker products. Ironically, Nesher Cement Enterprise is also accused of supplying materials for the construction of Israeli illegal settlements and the separation wall (Who Profits: The Israeli Occupation Industry n.d.). Sanad uses its monopoly to manipulate local market prices. In 2016, Sanad announced it would increase cement prices despite the decrease of cement prices by five percent in Israel at the same time. In response, many Palestinian construction companies protested Sanad's decision, demanding the end of the cement monopoly and price manipulation.

Concerning private monopolies, many major monopolies remained in place after 2007, especially those of strategic significance to the economy. Most importantly, the PA renewed Paltel's monopoly over the telecommunications sector in 2016 for the next 20 years. Much of the deal's terms remain secret and hidden from the public. While the circumstances surrounding the deal remain largely ambiguous, it has been noted that Paltel can maintain its monopoly by bribing Israeli officials to prevent the entry of competition into the market, particularly with the help of the recently founded mobile operator Wataniya (Haddad 2016, 266). In a brief official statement, the deal was anticipated to secure a total of US\$290 million in revenue for the PA during the overall period. As Paltel's annual profit is already estimated at US\$120 million, the deal has been harshly criticized on the ground that public ownership of the telecommunications sector could secure substantial revenues and reduce reliance on external aid. However, the deal ensured that most profit would end up lining the pockets of the company shareholders.

Given the strategic vitality of the telecommunications sector to society, the deal exemplified the highest form of corruption and cronyism in the eyes of the Palestinian public. In recent years, several grassroots campaigns have taken place, most notably the "Enough, telecommunications company!" initiative, to protest Paltel's costly and inefficient services and demand an end to its monopoly. For example, the protestors criticised Paltel's subscription fee

of 20 Israeli shekels, which Paltel imposes on a monthly basis regardless of whether or not the subscriber uses the service. Given that Paltel has 470,000 subscribers, it is estimated that the company collects more than nine million Israeli shekels per month— more than 100 million shekels in yearly net profit from the subscription fee alone (Paltel Annual Report 2018). The imposition of the monthly subscription fee has been described by protestors as illegal because it violates the Palestinian Basic Law, whose Article 88 states that any taxes and duties shall be imposed, amended, and repealed only by law.

Despite the peaceful nature of these protests, the PA security forces suppressed them and arrested the organisers on multiple occasions. One activist told us “Isn’t it enough with the occupation? This is our homeland, and we will not allow our public goods and collective interests to become a private property for a few capitalists and corrupt politicians” (interview with Nidal 2020). Commenting on the political power of Paltel, Iyad Riyahi, the co-founder of the Social and Economic Policies Monitor (Al Marsad) indicated that “who is in real control of the economic policies of the PA are a few businessmen who fully dominate the Palestinian market. They are very influential to the extent that they can appoint and overthrow a minister or even the entire government” (interview with Iyad Riyahi 2020).

Politics in business

Although the Palestinian public is aware of power relations between the capitalists and the PA, gathering detailed and precise information regarding political elites’ engagement in business ventures is a challenging task. This is because elites often enjoy social, political, and legal immunity and are protected by the security apparatuses. Generally, the political elites’ corruption, embezzlement of public resources, money laundering, and informal involvement in business come to light at times of internal conflict within elite circles, or through leaked documents obtained by investigative journalism. The PA’s political elite became particularly discreet about their business relations following a series of corruption scandals during the 1990s and early 2000s. However, several PA officials’ family members and relatives are publicly involved in large businesses operations, either independently or through existing conglomerates. The most prominent example concerns the sons of President Mahmoud Abbas, Tareq and Yasser Abbas, whose businesses and wealth have been at the centre of public and media debates questioning the possible connection between their successful business ventures and their father’s political power. To defy these accusations, advocates claim that the president’s sons’ involvement in business preceded their father’s presidency and that they are “hard-working entrepreneurs who were trying to help their fellow Palestinians by developing the economy” (Entous 2009). The Abbas brothers have been involved in the private

business since the early years of Oslo, although in recent years, they have become influential economic actors in the oPt and beyond.

Yasser Abbas is the Chairman of Falcon Holding Group, which consists of several individual companies based in Palestine and other countries in the region. He holds several leadership positions in several conglomerates, including the Al-Mashreq Insurance Company and the First Option Project Construction Management Company (United States District Court for the District of Columbia 2013). His younger brother Tareq is an APIC Board Member, has acted as Vice President of its Corporate Affairs since 2014, and served from 1999-2011 as General Manager of one of APIC's major subsidiaries called Sky Advertising, Public Relations, and Event Management (APIC). In contrast to Tareq, whose political ambitions are barely noticeable, Yasser has shown interest in politics on several occasions, particularly by joining official PA trips as a special envoy of the president (KAZINFORM 2012).

In 2009, Reuters published a detailed investigative report that sheds light on the political background of the successful businesses run by the president's two sons. According to documents obtained by Reuters, the United States Agency for International Development (USAID) paid over US\$2 million for Yasser's Falcon Holding Group to construct a sewage system in Hebron in 2005, and for Tareq's Sky Advertising to launch a public relations campaign in 2006 to improve the US's image in the Palestinian territories. When asked about the links between USAID's financing of profitable projects by companies operated by the sons of the PA president, a USAID official stated that "family ties were not a consideration" (Entous 2009).

Similarly, in 2012, *Foreign Policy* published an article questioning the legitimacy of the wealth acquired by Yasser and Tareq, specifically after Mahmoud Abbas took office in 2005, and whether they have "enriched themselves at the expense of regular Palestinians—and even US taxpayers" (Schanzer 2012). Entitled "The Brothers Abbas: Are the sons of the Palestinian president growing rich off their father's system?", the article sparked considerable controversy concerning potential links between American aid to the PA and the personal enrichment of PA officials and their relatives. Yasser Abbas responded by filing a libel lawsuit with the federal district court in the District of Columbia's against *Foreign Policy*, charging the publication with a defamatory allegation of corruption. The judge contended the following:

The question of US aid to the Palestinian Authority, and the level of corruption in the PA under both Yasir Arafat and Mahmoud Abbas, is fundamentally a matter of public, not private, interest. The relationship between the United States and the Palestinian Authority, and the way that U.S.-appropriated funds are used by the Palestinian Authority has been debated at length for years. The question of whether the sons of the president of the Palestinian Authority are enriching themselves by virtue of their political ties, and whether some of their wealth can be traced to US tax dollars is part of that issue. As defendants point out, numerous publications in the United States and throughout the

world have written extensively about corruption in the Palestinian Authority generally, and the Abbas family's wealth specifically. Indeed, Mr. Abbas does not dispute that "there is a public controversy concerning allegations of corruption within the Palestinian Authority." (United States District Court for the District of Columbia 2013)

The lawsuit was dismissed by the court, with the conclusion that the questions posed in the article "do not qualify as false and defamatory statements" (United States Court of Appeals for the District of Columbia Circuit 2015). While the result of the lawsuit cannot be taken as firm evidence of the direct connections between Yasser's wealth and his father's political career, it must be understood within the context of the growing "conspicuous wealth" of PA political elites and their relatives and associates.

Conclusion

Crony capitalism has become a fundamental explanatory variable in understanding the interrelationships between the PA political elite and a handful of business groups and entities. While crony relations have existed since the early years of the PA's establishment, cronyism and associated patronage networks have grown in complexity during the previous decade. The changing nature of monopolistic practices highlights the state of PA-business relations in the context of Israel's settler-colonialism and international donors' financial support. The system of crony capitalism in the occupied West Bank is a significant factor driving persistent poverty, inequality, and social division. Moreover, while powerful interest networks internally underpin PA cronyism, it is externally sustained by Israeli and international donors as long as it achieves political stabilisation and preserves the status quo. In truth, the reality of crony capitalism in the oPt is an understudied "black box" area of research due to various security restrictions, autocratic politics, and difficulties associated with acquiring detailed and precise information.

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Chapter Two

Three Decades and Counting: Assessing the Oslo Accords through a Security Lens

Alaa Tartir

After nearly three decades of their existence, neither the Palestinian Authority (PA) nor the internationally-adopted and sponsored Oslo framework, brought the Palestinian people any closer to realizing their inalienable right to self-determination. In fact, these decades of peace and state building processes, have made Palestinians weaker, more fragmented, and further away from statehood, let alone equality, justice, and freedom. This chapter aims to explain this conclusion through offering a contextual analysis of the Palestinian-Israeli security coordination in the shadow of a failed “peace” process. It utilizes the Oslo framework’s security coordination lens to illustrate how Palestinians in the occupied West Bank and Gaza Strip have had to (and continue to) live under and suffer not only from the brutality of the Israeli colonial occupation but also from additional layers of oppression created by their own national governing bodies. The chapter examines the Oslo Accords from a security perspective and presents its recipe and triangle, and offers an analysis of the ramifications of the security doctrine adopted by the PA in its venture to build a Palestinian state. It concludes that over the past three decades complex structures, contradicting dynamics, and undemocratic institutions had emerged and solidified in the West Bank and Gaza Strip, and therefore, reversing the Oslo’s Triangle is a prerequisite to ensure a prosperous Palestinian future.



Elsewhere

2020 | 50 x 50 cm, part of a constellation of 20 artworks, mounted on matt diasec.

Source: **Steve Sabella**, <https://stevesabella.space/pages/elsewhere>

Introduction

For the past thirty years, the annual anniversary of the Oslo Accords in September marked an opportunity to reflect on the progress, consequences, and failures of the Accords. The various involved and concerned actors perceived the results and outcomes differently; sometimes remarkably differently. Three decades on, however, illustrates that a sovereign and viable Palestinian state remains unattainable, while Israel's settler colonial endeavour and structures of Apartheid continue to expand and solidify.

Every September, Palestinians are reminded that their political leadership is fixated on a failed and obsolete framework that contributes to the denial of their basic rights. They are also reminded that the notion of peace shrank to a mere function of securitised processes and arrangements, as the Oslo Accords—at their core—are a security arrangement between the occupied and the occupier to sustain the status quo and to ensure the existing imbalances of power. Therefore, the Oslo Accords are neither an avenue for peace, nor a framework that will bring the Palestinian people any closer to realising their inalienable right to self-determination. In fact, it made Palestinians weaker, more fragmented, and further away from statehood—let alone equality, justice, and freedom.

This chapter explores these dynamics by examining and unpacking the Oslo Accords through a security lens. It focuses on eight elements to show that the Oslo Accords security doctrine not only induced a “statehood framework” that was doomed to fail, but also that the much-touted good governance approach and the security sector reform project adopted by the Palestinian Authority (PA) over the past decades resulted in the growth of authoritarian trends and structures of repression, rather than in processes of democratisation, inclusiveness, and accountability. Today, the Palestinians' governance structures at all levels are weak and undemocratic.

Problematising the Oslo Accords' structural transformations and deficiencies

Originally as an externally imposed and sponsored framework, and subsequently as an adopted paradigm by the Palestinian Authority political leadership, the Oslo Accords created processes, institutions, and arrangements resulting in structural transformations and deficiencies. These, in turn, affected and shaped major aspects of the lives (and deaths) of the Palestinians, particularly in the occupied West Bank and Gaza Strip.

At the *societal* level, the Oslo Accords framework distorted Palestinian civil society, redefined and reconceptualised key pillars of the social contract, and further fragmented and divided the Palestinian people. At the *economic* level, the Oslo Accords framework solidified the status of dependency of the Palestinian economy on, and the asymmetric containment by, the Israeli economy, creating an economy that is inherently reliant on international aid and assistance and institutionalising a process that denied the Palestinian right for development. At the *political* level, the Oslo Accords framework led to the domination of personalised styles of governance over inclusive, accountable, and participatory approaches, nourishing structural and self-enforcing forms of corruption instead of instilling effective mechanisms to ensue accountability and transparency, and alienating the Palestinian people from the core of the political system and structures of governance.

These structural transformations and deficiencies are neither unintended nor accidental. They are integral to the design of the Oslo Accords and constituted fundamental pre-requisites for the so-called peace process and the PA state-building project. They are also an outcome of the obsession of the PA leadership with the idea and notion of statehood as a means and an end in itself to realise rights and self-determination. The entrenchment of these structural transformations and deficiencies over the years was amplified by the PA leadership's adoption of "internationally pleasing and acceptable" paradigms, instead of being locally rooted and oriented. In other words, international legitimacy suppresses local legitimacy. Institutionally, the Palestine Liberation Organisation (PLO) became only nominally present, while the effective institutional weight shifted to the PA, its ministries, and fundamentally to its security establishment (Tartir 2017; Al-Shabaka 2018). This was in line with the dictates of the Oslo Accords' security arrangements, which mandated the PA leadership to adopt "cooperation and collaboration" with the occupier/coloniser—especially in the security domain—as a "sacred doctrine". The PA President, Mahmoud Abbas, famously declared in 2014 that "security coordination is sacred, is sacred. And we'll continue it whether we disagree or agree over policy" (Abunimah 2014; Tartir 2019).

Unpacking the Oslo Accords through a security lens reveals at least *eight* elements that could explain why the Oslo Accords framework is merely a securitised arrangement that violates Palestinian rights—including to security—and reinforces the multi-layered system of subjugation and repression that Palestinians have to live within and under.

First, ensuring the security of Israel through the complex structures that the Oslo Accords created—including through the mechanisms of security coordination between the PA and Israel's security establishment—was a defining feature of the arrangement/agreement. In other words, Israel's security-first approach was adopted even if that meant parallel Palestinian insecurity. Therefore, the security of one group was favoured over the security of another group,

which only sustained a distorted imbalance of power between the occupied and the occupier and heavily contributed to the entrenchment of Israeli “security phobia”. Under the pretext of ensuring Israeli security, the structures, institutions, and mechanisms of the Israeli military occupation over the West Bank and Gaza Strip were protected and sustained instead of being held accountable or dismantled. Furthermore, this Israeli security-first approach allowed Israel to expand and exponentially increase its illegal settlements in the West Bank, and to take all measures it deemed necessary to ensure the security of its settlers. Per the Oslo Accords’ clauses and arrangements, Israel provided security to its settlements and settlers either directly, or indirectly through the PA’s security establishment. On the other hand, Palestinian security was not only residual, but was violated and denied as part of the process of ensuring Israeli security.

Second, although the Oslo Accords were meant to serve a “transitional” role that would eventually tackle the “final status issues” such as refugees and borders, effectively it only constituted a framework that sustained the status quo. The status quo, however, is equivalent to the status of sustaining and solidifying the Israeli occupation, instead of addressing the root causes of its perpetuation. That meant that the key reason for Palestinian insecurity, the Israeli occupation, is left unaddressed.

Third, to ensure the perseverance of the aforementioned two elements (protection of the occupier and sustainability of the status quo), the international community insisted on launching and sponsoring a “peace negotiation process”. Those negotiations were held largely for the sake of negotiation (*the emphasis is on the process*), and not necessarily to reach a meaningful agreement to ensure peace or even to induce a Palestinian state. That said, this “peace negotiation process” succeeded in creating an obsession with the idea of statehood, to the extent the PA leadership believed that a Palestinian state exists “in all but name”—although in reality that state basically remains a mere mirage and hallucination. Therefore, instead of investing in building accountable and inclusive political structures and effective styles of governance, the Palestinian negotiating elite opted for an approach that deepened trust gaps, creating further disconnects between the governed people and the governing authorities. That, in turn, did not only weaken their position as negotiators, but also translated into further insecurities for the Palestine people. This illustrates that the “peace negotiation process” was successful in removing the Palestinian negotiating elite from the lived realities of the Palestinian people; instead of addressing people’s needs, they contributed to the denial of their inherent rights and human security.

Fourth, Palestinian sovereignty and self-reliance are two core issues that Israel, as a colonial and occupying power, cannot allow the colonised to nourish and enjoy. Sustaining the existing status of dependency, economic asymmetric containment, and the dynamics of the matrix of control, are some of the tools that Israel uses. Importantly, they were institutionalised as part of the Oslo Accords

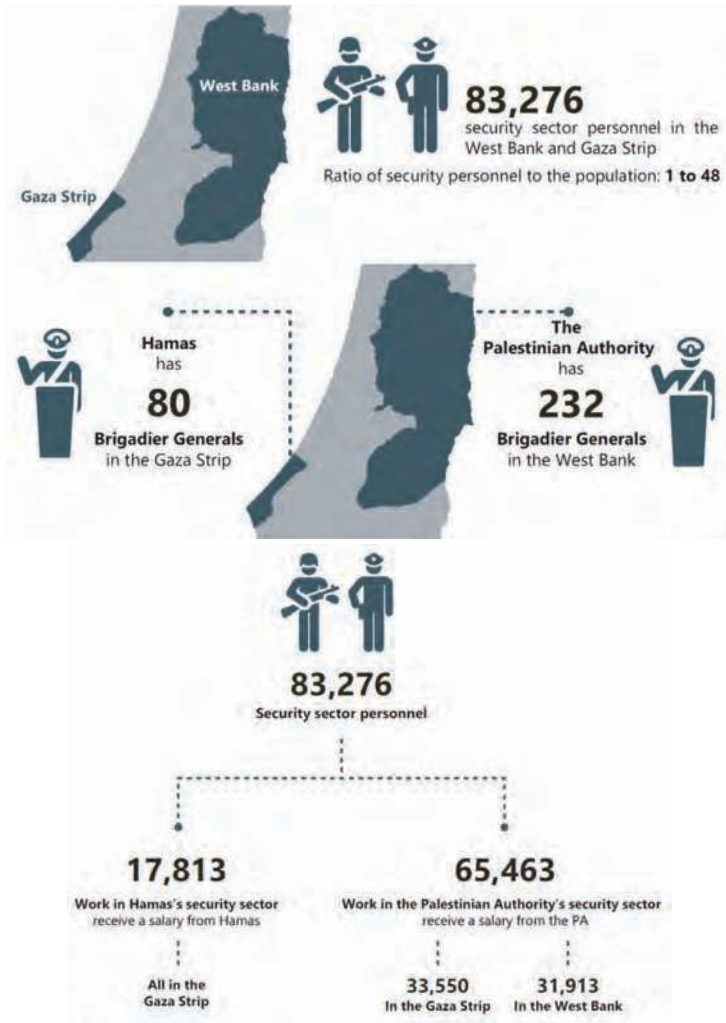
through the skewed custom union (Paris Economic Protocol), the territorial fragmentation of the oPt (Areas A, B, and C in the West Bank for instance), and the paradigm of security coordination/collaboration that reduced the role of the PA's security forces—explicitly and implicitly—to that of a sub-contractor of the Israeli occupation and an additional tool to outsourcing repression (Tartir 2017). These institutional elements of the Oslo Accords, in addition to their inherent reliance on international aid, constitute crucial pillars in sustaining the status of dependency. Dependency has transformed over decades from a short-term status that may accompany the transitional period (1994-1999), into a long-term entrenched feature that describes the dominant reality in the West Bank and Gaza Strip.

Fifth, the internationally-driven creation and sponsorship of a Palestinian national bureaucracy to govern the Palestinians in the occupied West Bank and Gaza Strip constituted a dramatic change in the relationship between the Palestinian people and the institutions that serve and represent them, and indeed lead their national liberation project. Over time, a dysfunctional and inflated bureaucracy (the Palestinian Authority) took over, co-opted, and side-lined the PLO. This, in turn, transformed—or more precisely, shifted and altered—the nature of the Palestinian struggle and the tools it utilises. This strategic— but miscalculated—shift not only created a heavy bureaucratic institutional setting employing nearly 160,000 people (almost half of them in the security sector) with a major financial burden on the Palestinian struggle for self-determination; it was also built on a fundamentally flawed basis characterised by an inherent and self-enforcing system of corruption, personalised styles of governance in the absence of effective accountability mechanisms, and neopatrimonialism and patronage practices within a patron-clientelism setting (Dana 2015; Fatafta 2018). This dysfunctional and inflated bureaucracy was tasked to lead a state-building process as a means to realise self-determination and freedom. However, this state-building venture not only failed, but it also disempowered the people/nation as a core element of any state, instead empowering the “wrong national institutions” under the colonial condition. In particular, it empowered security structures and institutions to solidify the existing matrices of control, instead of expanding the already narrow margin for freedom or expanding the Palestinian capacity and capabilities to realise freedom (Tartir 2020).

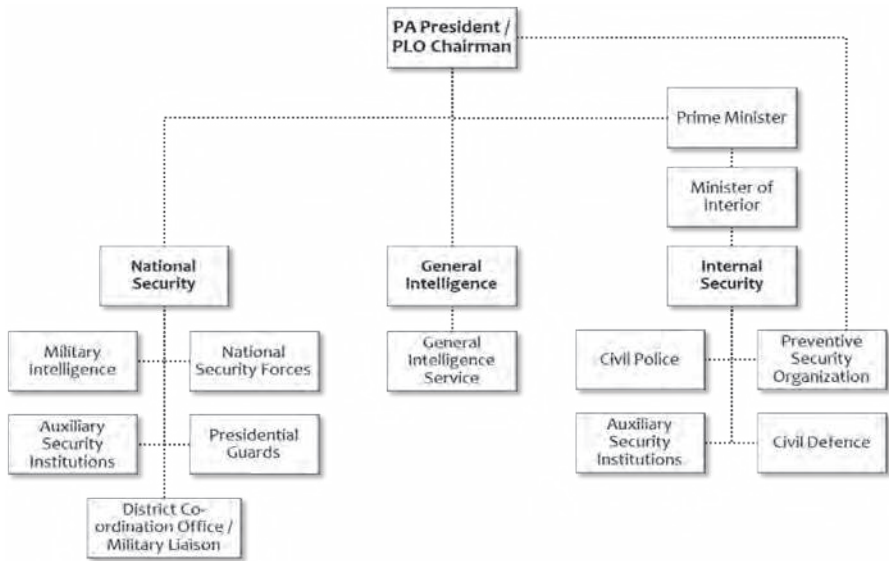
More concretely on the empowerment of the “wrong national institutions”, the Palestinian security sector currently comprises about 83,000 individuals (65,000 receive a salary from the Palestinian Authority and 18,000 are paid by the Hamas authorities in Gaza Strip). This figure includes about 310 brigadier-generals, of whom about 230 report to the Palestinian Authority and 80 to Hamas (DCAF 2016). The security sector, which employs around 44 percent of all civil servants, accounts for nearly US\$1 billion of the Palestinian Authority's budget, and absorbs around 30 percent of total international aid disbursed to Palestinians (see figure 1). The security sector, with its multiple institutions and bodies (see figure 2), consumes more of the Palestinian Authority's budget

than the education and agriculture sectors combined. The ratio of security personnel to the population is estimated to be as high as 1 to 48, among the highest in the world (Tartir 2019). All this, however, fail to translate into better security provision for the Palestinian people, especially from the main cause of their insecurity, the Israeli occupation, due to the inherent structural limitation of the Oslo Accords-driven PA security paradigm.

Figure 1: Palestinian Security Sector Personnel in the West Bank and Gaza Strip¹



¹ Source: PalVision (2017) Based on the work of Tartir (2016) and DCAF (2016)

Figure 2: Palestinian Authority Security Forces²

Sixth, the domination of the “wrong national institutions” under the colonial condition, translated into a more authoritarian and further securitised context. The adopted, implemented, and internationally sponsored security reform processes—which have been the lynchpin of the PA’s post-2007 state building project—resulted in the professionalisation of Palestinian authoritarianism and repression. In other words, structural authoritarianism became part and parcel of the Palestinian political system as the dominance of the Palestinian security establishment extended to political circles, making them even more undemocratic in nature. Under the statehood project pretext, a total synchronisation between political and security leadership has emerged where political leaders justify the actions of the security agencies, while the security agencies protect the political leadership.

This dominance has, in turn, superimposed another level of policing on the Palestinian people that literally affected many aspects of their daily lives. “After 2007, public gatherings are only allowed for weddings, funerals, or prison gatherings”, a refugee from Balata refugee camp in the West Bank told me. Even if this account is taken with some level of exaggeration, it illustrates the authoritarian transformations that have taken place in Palestine over the years as a result of the growing dominance of the security forces and their entrenchment

² Source: Tartir, Alaa. 2020. “Palestine.” In *Intelligence Communities and Cultures in Asia and the Middle East: A Comprehensive Reference*, edited by Bob de Graaff. Lynne Rienner Publishers.

in almost every aspect of life, including the ability to be employed, open a bank account, engage in political activism at the universities, post a Facebook status, or pray or drink at a bar freely (Tartir 2020). Therefore, the rise of authoritarian governance structures, the absence of democratic participatory political processes, and the perceived success—by the “glocal” élite —of the PA’s security sector reform project and its security doctrine that sought to ensure the “state” monopoly over the use of violence in Palestinian society, contributed to the denial of Palestinian rights, including the rights to human security and sovereign statehood.

These ramifications and consequences meant that the post-2007 security reform agenda has undermined Palestinian resistance and security and has subverted the very functioning of Palestinian politics. This meant that a major outcome of the security sector reform project was to tame resistance and silence opposition to Israel’s occupation and colonial domination (and to the PA approach in leading the Palestinian struggle) by criminalising resistance and stripping it of its basic infrastructure. To do so, the PA and its security forces used harassment, marginalisation, arrest, detention, and torture against those engaged in resisting Israel. They also dismantled the structures supporting such resistance through the conduct of aggressive security campaigns within the occupied West Bank’s most militant spaces.

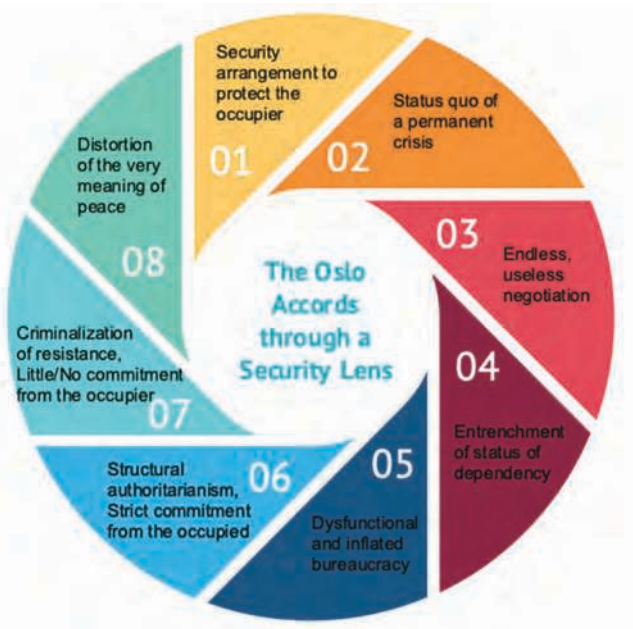
Palestinians in the West Bank wanted protection from their major source of insecurity, namely the Israeli military occupation, yet they had to face the consequences of a paradigm that seeks to criminalise all resistance (not only armed resistance) to that occupation. Thus, this security-driven dynamic induced by the Oslo Accords framework demonstrates that conducting security reform to ensure stability within the context of colonial occupation and without addressing the imbalances of power and revisiting the terms of “peace agreements” can only ever have two outcomes: “better” collaboration with the occupying power and therefore better protection for the occupiers, and violation of security and national rights of the Palestinian people by their own government and national security forces (Tartir 2017).

Seventh, Israel, as an occupying power, showed little to no commitment, while the occupied—the Palestinian Authority and its leadership—showed strict commitment, to the arrangements and agreements put in place. In fact, the absence of the reciprocity element in these arrangements/agreements represents a form of domination. The paradigm of security coordination/collaboration is a case in point. International actors, however, largely (but problematically) view security coordination as a crucial element in the stability, peace, and state building equation/enterprise. Yet, the full adoption of the security collaboration paradigm by the PA leadership translates into actions that criminalise Palestinian resistance, professionalise Palestinian authoritarianism, and by extension, deny the security of the Palestinians while adding more layers of repression and controlling apparatuses to an already highly oppressive context.

As Jan Selby so pithily writes, coordination or cooperation, in this context, is, above all “an internationally pleasing and acceptable signifier which obscures rather than elucidates the nature of Israeli-Palestinian relations” (Selby 2003, 138). In other words, within the reality of colonialism, coordination and cooperation can be only understood as domination. It is no wonder, therefore, that the vast majority of Palestinian people reject the idea, notion, and practice of security coordination because they correctly understand it as a further layer of denial of their basic human, civil, and political rights. However, this realisation by the occupied people, and their desire to free themselves from the shackles of the security coordination paradigm, continue to be met by fierce rejection and repression by the various authorities and actors concerned (Tartir 2019).

Eighth and finally, the elements discussed above meant that the very meaning of peace became highly distorted. The use of the word in the Palestinian-Israeli context became misleading and masks the stark reality of non-peace. Peace became almost equivalent to sustaining the status quo, to compromises, to security concerns and needs, but is hardly ever about accountability or lasting justice and equality. Reclaiming the true meaning of peace in the Palestinian-Israeli context will be as hard as building it.

Figure 3: The Oslo Accords through a Security Lens



Conclusion

This chapter examined the Oslo Accords framework through a security lens and offered an analysis of the ramifications of the security doctrine adopted by the Palestinian Authority. It showed that over the past three decades complex structures, contradicting dynamics, and undemocratic institutions have emerged and solidified in the West Bank and Gaza Strip. Moving beyond the path dictated by the Oslo Accords, and its detrimental consequences, requires a serious engagement in a process of fundamental rethinking of the existing, dominant framework that questions, *inter alia*, the institutional utility of the PA and its role in the Palestinian struggle for self-determination—as well as the possibility of reviving, reforming, and reclaiming the PLO as a potentially more representative and inclusive institution to lead their struggle (Fatafta & Tartir 2020).

In sum, addressing and reversing the Oslo Accords' structural transformations and democratic deficiencies is a prerequisite to ensure a prosperous Palestinian future. Palestinians have hefty tasks ahead of them in order to reimagine their future towards justice and freedom. Addressing and reversing the Oslo Accords' structural transformations and deficiencies means adopting an "accountability and people first" paradigm, which requires the Palestinians to reinvent their political and governance system; to rebuild their democratic, representative, legitimate, inclusive, and effective leadership; and finally, to redefine peace so it can first reclaim its true meaning to ensure accountability and lasting justice and equality.

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Chapter Three

Israel's Regime of (no)Torture: Legality, Impunity, and the Never-Ending Threat

Basil Farraj

This chapter addresses imprisonment as a policy central to the Israeli occupation's exercise of control and violence over the Palestinian population. Through engaging with works written by Palestinian political prisoner Walid Daka, the paper argues that a shift in the Israeli regime of control began to take shape following the second Palestinian Intifada, and that the implications of this shift can be witnessed in ways in which the modes and function of torture has changed behind Israeli bars. While Israeli torture has always been present, the post second Intifada period signalled the coming into effect of a more hidden mode of torture accompanied with visible resort to torture whenever the state deems appropriate. This process points to the broader goal of the Israeli authorities geared towards de-politicizing Palestinians and moulding their consciousness, both within and outside prison bars.



Elsewhere

2020 | 50 x 50 cm, part of a constellation of 20 artworks, mounted on matt diasec.

Source: **Steve Sabella**, <https://stevesabella.space/pages/elsewhere>

Introduction

Months after the brutal torture to which he was subjected at the hands of Israel's General Security Services (GSS'), Samer Arbid was sitting on the defendant's bench in Ofer Military Court surrounded by numerous Israeli prison service personnel. Samer's body looked tired and frail. His appearance in court bore no resemblance to the photos that had circulated of him alongside his family prior to his brutal arrest. Near the end of the court session, when informed by his lawyer about the forthcoming court date, Samer's frail and brutalised body defiantly responded, "Sure, let me check my schedule first!"²

On the morning of 25 September 2019, Samer Arbid was arrested as he approached his workplace in the Palestinian city of Ramallah. From the moment of his arrest, he was severely beaten and taken to the Russian Compound (*al-Mascobiyya*) interrogation centre in Jerusalem. There, designated as a "ticking bomb" detainee, Samer was subjected to interrogation by what the Israeli security agency refers to as "special means." After two days of continuous interrogation, he was rushed to a Jerusalem hospital in critical condition. Samer was unconscious, had 11 rib fractures, bruises all over his body, severe kidney failure, and numerous signs of critical injuries. As the Israeli newspaper *Haaretz* reported, during his first two days of interrogation, Samer was examined by Israeli doctors, with the doctors not reporting any "unusual signs" (Breiner 2019). Reports state that Samer's interrogation continued while he was in the hospital, and that an Israeli military judge allowed the GSS to resume interrogation following what had been argued was an improvement in his medical condition. Samer was denied the right to meet with his lawyers during most of the interrogation period. He is currently awaiting trial and conviction.

Samer's story is not unique. His case—and that of a number of other Palestinians brutally tortured in *al-Mascobiyya* interrogation centre in the end of 2019—was given heightened coverage because of the physical state in which Samer reached the hospital, and because the GSS was permitted to employ special measures in its interrogation of detainees under the pretext of a "ticking bomb" scenario.³ In these scenarios, interrogators resort to what is referred to as "military interrogation", which allows employing torture methods that are technically banned by a 1999 Israeli High Court of Justice (HCJ) ruling. Samer's case, however, is illustrative of the ways in which Israel had managed to create a reality in which torture —while systematic—is presented as an exception and a last resort; or better, as a lesser evil needed to save Israel from imminent threats against its 'security' and that of its citizens.

¹ Israel's security agency, also referred to as the 'Shabak'.

² I attended this session in Ofer Military Court on 17 February 2020.

³ For more information on other cases of torture, see Addameer Prisoner Support and Human Rights Association's report, entitled *The Systematic Use of Torture and Ill-Treatment at Israeli Interrogation Centers ... Cases of Torture Committed at al-Mascobiyya Interrogation Center*, available here: <https://bit.ly/31O3ey1>.

By discussing the torture cases of dozens of Palestinians near the end of 2019, this chapter examines Israel's regime of torture and the unique legal structures it has carefully been crafting over the years to sanction the ongoing abuse and torture of Palestinian prisoners. It argues that torture has never left the Israeli carceral regime and that, over the years, the Israeli government and its relevant branches managed to shift the way torture was practiced and discussed; in effect, creating a reality where torture—if ever referred to as such by the Israeli authorities—appears as an exceptional last resort to violence under the pretexts of security and necessity, and with impunity offered to those involved at every step of the process. The chapter begins by first discussing the Israeli regime of torture and its centrality to broader Israeli carceral practices. It then discusses changes that the torture regime has undergone over the years, particularly following the 1987 publishing of the Landau Commission's Report and the 1999 HCJ ruling. These moments were pivotal in constituting the current reality in which Palestinian detainees, during the course of their interrogation at the hands of the GSS, can find themselves subject to a range of interrogation methods, none of which amounts to torture in the eyes of the Israeli government.⁴ The chapter ends by reflecting upon the intended effects of the Israeli regime of torture, which aims not solely to prosecute Palestinians and extract confessions but also to reshape the entire Palestinian political imprisonment experience.

From “no torture here” to “moderate pressure only”

Imprisonment has long been a central Israeli policy to control Palestinians that can be traced back to the early years of the state's violent existence beginning in 1948. It is estimated that already in the first year after the establishment of the State of Israel, between approximately 7,000 and 12,000 Palestinians were arrested and sentenced without a hearing or a trial (Kabha and Awawda 2013). Statistics further show that, since the occupation of the West Bank and the Gaza Strip in 1967, as many as 800,000 Palestinians were arrested. This number constitutes approximately 20 percent of the total Palestinian population in the occupied Palestinian territory (Addameer 2016). According to Addameer Prisoner Support and Human Rights Association, there are currently over 4,700 Palestinians held in Israeli prisons.⁵ Indeed, this reality has led numerous scholars to refer to Israel's policies of imprisonment as a “carceral enterprise”, (Hajjar 2005, 44) a “regime of enclavization”, (Khalili 2013, 64) and a “prison web” (Latte Abdallah 2016, 41).

⁴ The chapter particularly focuses on torture taking place in Israeli interrogation centers. Much more can be said about manifestations of torture and violence within prisons themselves.

⁵ For monthly statistics, please visit Addameer Prisoner Support and Human Rights Association's web page, which includes a breakdown of monthly arrests by the Israeli occupation, and provides numbers of child prisoners, administrative detainees, prisoners serving life sentences, etc.

Inherent to this reality of imprisonment, and to the ensuing discussion of torture, is the Israeli designation of the majority of Palestinian prisoners as “security prisoners”; a determination that “transforms thousands of Palestinians imprisoned today in Israel into a single group that poses, as such, an identical level of danger” and in effect justifying their stricter living conditions and the denial of their rights (Baker 2009, 65). The Israeli Prison Service includes in this designation what it refers to as “senior members of Palestinian terrorist organizations, terrorists who were on their way to a suicide mission and were apprehended by the defence forces; dispatchers; attack planners; those responsible for preparing the explosives, etc.” (Israel Prison Service 2012, 3). This designation of Palestinians, as an embodiment of threat and danger, is a constituting element of their imprisonment, and of the maltreatment and torture they receive at every stage of their detention process.

Torture has taken a central role within the carceral reality to which Palestinians have long been subjected. Reports of the various methods of torture endured by Palestinian prisoners’ date to the first campaigns of arrest launched by Israel in the early days of its establishment (Kabha and Awawda 2013). These reports continued and were documented by numerous local and international human rights organisations. Torture of Palestinian prisoners particularly came to light in 1977 when the British newspaper *The Sunday Times* published a special investigation into allegations that Israel employs torture in its interrogation of Palestinian and other Arab detainees. The report, titled *Israel and Torture*, discusses the cases of several prisoners and recounts their experiences and the torture to which they were subjected in interrogation rooms. One of the prisoners, Ghassan Harb, recounts aspects of his interrogation. In one of the days, he says: “They took me outside, took my clothes [off] and there were four or five people. Now one kicks me, the other receives me, and gives me to the first – as a ball, kicking to and from. Afterwards they let me crawl. I was still without clothes of course. Somebody sat on my back, and they were laughing” (The Sunday Times 1977, 202). He recounts another incident where he was made to crawl into a dog kennel, and where he was made to hear the screams of other prisoners. Another prisoner, Omar Abdul-Karim, recounts being placed on the floor with an interrogator standing on his legs and another pulling his arms back. He recounts having a stick twisted through his handcuffs thus cutting the blood supply to his hands, and mentions being subjected to electric shock during eight or nine sessions.

This *Sunday Times* investigative report is not unique in the sense that numerous other documents and testimonies narrate stories of torture from that period and point to the torture methods employed by Israeli interrogators. This brutal reality of torture is confirmed by the number of prisoners who were killed in interrogation rooms; as Addameer (2020) notes, this number has reached 73 since the beginning of the Israeli occupation in 1967. The report

is interesting, however, because the Israeli authorities published an official response contesting the newspaper's allegations. The Israeli response stated that "Israel police and security [forces] have every reason to refrain from use of force. Such use of force is a serious criminal offence, and where cases of police brutality have been found in the past, police officers have been prosecuted, and [that] it is Israel's policy to do so in the future" (The Sunday Times 1977, 214). Israel further claimed that any statement obtained through torture is inadmissible in Israeli courts, and that the absence of medical evidence is an assertion to the absence of torture in Israeli prisons (The Sunday Times 1977, 214).

The Israeli state's response to allegations of torture has not changed in the years since. Israel continues to deny the systematic use of torture and violence behind bars. The occupying state has, however, dressed torture in the garb of legality, modified it, and permitted its continued use behind prison bars whenever needed. The "necessity defense" laid out in Israel's penal code came to allow the use of torture while brushing aside any claims to the contrary. The "necessity defense" grants interrogators protection in a criminal trial, thus permitting the use of force without holding those responsible for torturing Palestinian prisoners accountable. It is the "necessity defense" logic that allows the Israeli state to torture Palestinians, while simultaneously purporting the contrary and claiming that the use of violence is either an exception needed for security purposes, or that it was 'moderately' enacted. The following section traces the emergence of the legally sanctioned Israeli regime of torture and points to the centrality of torture to the Israeli carceral project.

All the way towards legal torture

Two particular scandals brought torture back into the headlines, making it impossible for the Israeli authorities to simply brush off accusations of torture or to deny them outright. In 1982, a Circassian Israeli army officer was sentenced to 18 years for treason and espionage. During his trials, the officer maintained his innocence and held that confessions were obtained through violent interrogation means, and thus should not be admissible in court. In 1987, the Supreme Court accepted his appeal and acknowledged that Israeli interrogators had used violent means and lied in court under oath. The court ordered his release from prison. The other incident, known as the "bus 300" affair, similarly involved the GSS's cover up of a use of force that led to the death of two imprisoned Palestinians. Dating back to 1984, the incident involved four Palestinians who had hijacked an Israeli bus and held its passengers' hostage, demanding the release of a number of Palestinian political prisoners. During the rescue mission, the GSS shot dead two of the Palestinians and captured

the remaining two alive, after which they were beaten to death.⁶ The attempted cover-up, during which the security services fabricated evidence and lied in court, led to public outcry and greater scrutiny of the GSS's work.

These two particular incidents led to the establishment of an Israeli government sanctioned commission in 1987 headed by retired Supreme Court Justice Moshe Landau. The commission's mandate, as Lisa Hajjar notes, was "to bring to light any illegal actions perpetrated by the GSS and, in doing so, to begin the process of restoring public (Jewish Israeli) confidence in the security establishment, which had been damaged by the scandals" (2005, 70). The commission examined the issue of interrogation methods and false testimonies given by the GSS in court. The commission's report held that moderate physical and psychological pressure can be employed by interrogators to prevent "terrorism". The report stated that the means "should principally take the form of non-violent psychological pressure through a vigorous and extensive interrogation, with the use of stratagems, including acts of deception. However, when these do not attain their purpose, the exertion of a moderate measure of physical pressure cannot be avoided" (State of Israel 1987, 80). The second part of the report, which remains secret to this day, includes guidelines for interrogators defining permissible and prohibited interrogation methods.

In addressing the functioning of the GSS and its practices of interrogating Palestinian prisoners, the Landau Commission's report permitted the torture of Palestinian prisoners under the pretext of employing "moderate pressure". As Itamar Mann and Omer Shatz note, the Landau Commission "recognizes that violence has been systematically deployed against Palestinian detainees and asserts that such violence is irreplaceable by other means of interrogation" (2010, 85). Resorting to interrogational violence appears as a necessity needed in order to thwart attacks and threats against the Israeli state that is perceived of as being under constant threat. Indeed, the commission's reasoning for permitting what is referred to as "moderate pressure" is rooted in the notion that the Israeli state is under constant threat from "terrorists" seeking its destruction. The commission's report states:

We are convinced that effective activity by the GSS to thwart terrorist acts is impossible without use of the tool of the interrogation of suspects, in order to extract from them vital information known only to them and unobtainable by other methods. (State of Israel 1987, 79)

While a reality at the time of the report's publication, exerting psychological and moderate physical pressure on Palestinian detainees came to be sanctioned as a necessity in the face of ongoing "terrorism". Although the report

⁶ A daily newspaper had published a photo showing that at least one of the hijackers was captured alive. See: Loevy, Karin. 2020. "Cycles of Compulsion: Efficacy and Legality in the History of Israeli Torture Debates and Practice." In *Interrogation and Torture*, edited by Steven J. Barela, Mark Fallon, Gloria Gaggioli, and Jens David Ohlin, 319-336. Oxford: Oxford University Press.

did not outright endorse torture, using instead euphemisms referring to the exercise of violence, the commission permitted the continuation of violence in interrogation rooms. More importantly, the report set the groundwork for future Israeli efforts geared toward constituting Israel's legalised regime of torture, or what Mann and Shatz refer to as the "project of containing torture within the rule of law" (2010, 85).

The project of containing torture within the rule of law, or what I refer to here as the legalised regime of torture, continued with the 1999 HCJ ruling that came in response to petitions submitted by a number of non-governmental organisations (NGOs) alongside several Palestinian prisoners brutalised at the hand of the GSS. In its ruling, the HCJ prohibited the use of brutal or inhuman means during interrogation and ruled that a "reasonable investigation is necessarily one free of torture, free of cruel, inhumane treatment, and free of any degrading conduct whatsoever", mentioning that this conclusion is in accordance with international treaties to which Israel is a signatory (Public Committee Against Torture v. Israel HCJ 5100/94 1999, 23). In this sense, as Bana Shoughry-Badarne notes, the Court decided "that, as a general rule, the use of shaking, painful waiting position (*shabeh*)⁷, the "frog crouch" and excessive tightening of handcuffs are illegal" (2011, 114).

While purporting to ban the methods of torture previously endorsed in the Landau Commission's report as "physical pressure", the HCJ ruling had, in effect, left a loophole justifying the ongoing and continuous resort to torture at the hands of the Israeli security establishment and granting interrogators protection from criminal liability. The ruling implicitly allowed for torture and physical pressure to be applied against Palestinian prisoners during interrogation under the condition that Israeli "security officials believe that a suspect is withholding information that could prevent an impending threat to civilian lives as stated in Article 1/34 of the Israeli Penal Code of 1972" (Addameer 2018, 11). In effect, the court therefore determined that the necessity clause in Israeli penal law, which grants protection to a defendant in a criminal trial, could apply to Israeli security personnel using "physical measures" (read: torture) in situations conceived of as "ticking bomb" scenarios.

In principle, however, the ruling did not take a stance on the legality of the use of physical force in "ticking bomb" situations and left the question of legality to the legislative branch. It stated in this regards that if "the state wishes to enable GSS investigators to utilize physical means in interrogations, it must enact legislation for this purpose" (Public Committee Against Torture v. Israel HCJ 5100/94 1999, 34). Yet, by leaving the question of legality to the legislative branch while simultaneously justifying the resort to torture, the court allowed for torture to continue to be practiced under a logic of exceptionality.

⁷ The *shabeh* position involves placing detainees in a number of painful stress positions. See the description of torture methods in the footnotes below.

As Lisa Hajjar notes, the HCJ “effectively added its stamp to the ‘legalization’ of torture in Israel/Palestine, rationalizing that any harm perpetrated by interrogators was lesser or even was mitigated by the possible harm that detainees posed to national security and the safety of civilians who might be victims of terrorism” (2005, 74).

Echoing the Landau Commission report’s logic of an Israel fighting against the never-ending threat of “terrorism” while working hard to balance its resort to violence, the HCJ ruling ends by discussing the harsh reality Israel finds itself in and the need to balance the use of force with what the law dictates. The ruling reads, “We are aware that this decision does not ease dealing with that reality. This is the destiny of democracy, as not all means are acceptable to it, and not all practices employed by its enemies are open before it” (Public Committee Against Torture v. Israel HCJ 5100/94 1999, 26). Similarly, Aharon Barak, president of the Israel Supreme Court at the time of the ruling, wrote “Admittedly, the struggle against terrorism turns our democracy into a ‘defensive democracy’ or a ‘fighting democracy’. Nonetheless, this defence and this fight must not deprive our regime of its democratic character. Defensive democracy: yes; uncontrolled democracy: no” (Barak 2002, 150). Therefore, through this ruling, and the previous attempts to justify the use of torture, Israel had presented itself as a state succeeding in a difficult “struggle” of meeting the needs of democracy and the rule of law, while fighting an arduous battle against lawless, barbarian enemies. Indeed, these legal manoeuvres that substitute torture with terms such as “moderate pressure”, “necessity defense”, and “ticking bomb” are part and parcel of the war Israel has long waged against the occupied Palestinian population. This definitional game presents the mistreatment of prisoners as “entirely legal because necessary and that, in any event, it does not rise to the level of torture” (Parry 2010, 121). As Mann and Shatz eloquently state, this is a reality that “can only be conceived of as embodiment of warfare” (2010, 97).

These Israeli legal attempts at addressing the question of torture provided the illusion that torture is not to be found in interrogation rooms and prisons; that it is not condoned nor is it in alignment with the “democratic” nature of the Israeli state. However, the Landau Commission’s report and the HCJ ruling both paved the way for the long-lived Palestinian reality where torture became “more solidly centralized, organized, and managed from above” (Mann and Shatz 2010, 63). As a report by the Public Committee Against Torture in Israel notes, the HCJ ruling had in effect provided the justifications and approvals for the use of torture through the easily invoked “necessity defense” situation. Indeed, as the report shows, “cases ‘termed ticking bombs’ do not involve a lone interrogator improvising ‘in the face of an unforeseen event,’ as the High Court stipulated. Interrogators appeal to their superiors in an orderly fashion, receive approval in advance, and employ certain methods repeatedly” (Ginbar 2003, 12). More importantly, torture as a legalised exceptional practice did not

solely allow for torture to be practiced whenever the state deems appropriate; it had also managed to create a situation where violence steering away from “physical measures” or justifications of “ticking bombs” appears in forms hard to depict as torture. Once again, the illusion of a prohibition against torture had permitted the Israeli state to continuously present its resort to “physical pressure” as exceptional and limited, thus presenting other means of interrogation as lawful and far removed from being described as violent means or torture.

The torture to which dozens of Palestinians were subjected near the end of 2019—twenty years after the HCJ ruling—is an illustration of both the centrality of torture to the Israeli carceral project, and of the ways in which Israel had carefully cultivated the systematic and centralised reality of torture in interrogation rooms. The following section addresses the particularities of the torture that took place in *Al-Mascobiyya* interrogation centre in view of the legally sanctioned regime of torture. As will be argued, these cases are the expected outcome of an Israeli regime of torture that continues to provide impunity to those involved in every step of the interrogation and detention processes, and an outcome of the logic of a perpetual threat that Israel has been living under since its inception.

Months of excruciating pain

Following the detonation of a bomb that killed an Israeli and injured two in the end of August 2019, Israel launched a months-long arrest campaign in the West Bank. The detainees were subjected to a wide range of psychological and physical torture methods. In the days immediately following the incident, Israel arrested a number of Palestinians—including Samer Arbid, mentioned at the beginning of this text—and designated them as “ticking bombs”, thus permitting the use of particular torture and interrogation methods in an attempt to extract confessions. Several of the detained Palestinians were interrogated under what the GSS refers to as “military interrogation” tactics for days, and some had to endure the excruciating pain associated with this form of interrogation for weeks. The majority of the detainees were subjected to prolonged bans on lawyer visits and had no ways of communicating with their lawyers and family members for months. They were constantly at the mercy of judges who are inherently complicit in their interrogation and detention processes (Addameer 2020).

The Addameer Prisoner Support and Human Rights Association collected numerous testimonies from Palestinians who were interrogated during this period, and who are currently imprisoned and awaiting trial. It is worth describing some of the torture methods used before discussing the intricate legal structures and cycles of impunity that constitute the Israeli regime of torture, and that present incidents of visible violence (i.e., that which reaches the public such as the case of Samer described above) as deviations from the “no-torture” norm—or, more accurately, as unfortunate violence needed to protect

the state and its citizens from grave harm. The methods of torture included the banana position,⁸ the squatting position (see Image 3.1),⁹ the rounded chains position,¹⁰ the imaginary chair position,¹¹ the frog crouch,¹² pulling facial hair and scalp hair from the roots, suffocating the detainees (see Image 3.2), harsh beatings, and the small chair position.¹³ Additionally, the majority of the inter-rogees were subject to prolonged sleep deprivation, to threats against family members, to non-stop interrogation sessions, and to yelling and cursing. Some of the cases, as I had been told by family members, included the fabrications of intimate family videos in order to further psychologically distress the inter-rogees. Additionally, in at least five cases, family members were arrested to place pressure on detainees to confess.

On two occasions in November 2019, I was able to attend military court sessions for a number of the tortured detainees. I had also spoken to a number of the detainees' families, who had relayed information about the legal conditions and health of their family members. In their first court session after the removal of the ban on lawyer visits and communication with family members, many of the detainees looked extremely tired; they were barely able to walk and had to assist themselves while standing so as not to fall, with visible bruise marks on their faces.¹⁴ Indeed, some of the families relayed to me that detainees were brought in on wheelchairs to their court sessions after over a month of interrogation. Indeed, the testimonies collected by Addameer show that a number of the detainees had to be moved between interrogation sessions on wheelchairs. I'tiraf al-Rimawi, for instance, "was taken to the clinic several times on a wheelchair as a result of the harsh beating he suffered from throughout the interrogation period [...] he suffered from a swelling in his feet and an extreme back pain" (Addameer 2020, 8). Another detainee, Tareq Mater, had similarly to "be moved on a wheelchair because of his inability to walk or even move from torture" (Addameer 2020, 12). Tareq's family informed me that he was escorted in a wheelchair when they first saw him in court following over a month of a brutal interrogation in *al-Mascobiyya* interrogation centre. Tareq's interrogation at *al-Mascobiyya* included continuous interrogation sessions, the squatting in front of a wall position, the banana position, the frog crouch position, and interrogators pulling his facial hair from its roots.

⁸ This position involves bending the back of the detainee in an arch while seating on a backless chair.

⁹ In this position, detainees are forced to squat while their hands are cuffed to each other and positioned in front of or behind them.

¹⁰ In this position, detainees are forced to lay on the ground with their hands cuffed to iron chains and positioned behind their backs.

¹¹ The detainee is forced to stand in the middle of the interrogation room and squat at a 45-degree angle, as if sitting on an imaginary chair.

¹² This position involves forcing the detainee to crouch on the tiptoes in a consecutive and periodical fashion.

¹³ Detainees are usually forced to sit on small chairs for long periods of time while their hands and legs are cuffed.

¹⁴ See the photos of Walid Hanatsheh that his lawyers were able to obtain. The photos demonstrate the visible marks of torture left on Walid's body including swollen feet, bruises, frail face, etc. Addameer. 2020. "The Systematic use of Torture and Ill-Treatment at Israeli Interrogation Centers ... Cases of Torture Committed at al-Mascobiyya Interrogation Center." Accessed June 26, 2020. <https://bit.ly/3dG7C4y>.

Illustrative Image 3.1: The Squatting Position



Source: published with the authorisation of **Addameer**.

The testimony of Walid Hanatsheh is also illustrative of the measures and torture methods the GSS utilised. Walid spent 63 days in Israel's interrogation centres and was denied lawyer visits for 45 days. Walid was subject to prolonged sleep deprivation, where he would not be permitted sleep at all or allowed to sleep in his cell for only one to two hours a day. During his "military interrogation", Walid was slapped on his face while his eyes were blindfolded and his hands cuffed; he was beaten on his chest and thighs; he was forced to perform numerous stress positions including squatting, the rounded chains position and the banana position. Walid's hair was pulled from its roots while he was being constantly yelled at, cursed, and splashed with water by numerous interrogators. Walid's daughter was also arrested and kept at *al-Mascobiyya* interrogation centre in an attempt to pressure Walid into making a confession. (Addameer 2020, 6-7). To this day, Walid suffers from the impact of the brutal torture he was subjected to in 2019 and is currently awaiting trial and sentencing.

Tortured detainees were not provided adequate medical care at any stage of their interrogation process. During their time at *al-Mascobiyya* interrogation centre, detainees would regularly be taken to a clinic for a medical check-up; however, none of the doctors had reported the visible marks they had seen on detainees' bodies nor asked for interrogations to be stopped. As Addameer documents, "the doctors approved the detainees' physical capability to be sent back to interrogations, ignoring the visible bruises, ulcer wounds, and torture marks on the bodies of those detainees who also expressed their feelings of severe pain to the doctors" (Addameer 2020, 1). Walid was taken to *al-Masco-biyya*'s clinic almost every day during his interrogation period but not once did doctors disapprove of Walid's physical capability to continue the interrogation. This attests not solely to the complicity of doctors in the torture of Palestinian detainees, but also to the bureaucratised and centralised system of management through which Israeli torture is given a green light at every stage of the process.

Illustrative Image 3.2: Suffocating Detainees



Source: published with the authorisation of **Addameer**.

Beyond the HCJ ruling: Nothing has changed

Since 2001, nearly 1300 complaints of violence carried by the GSS in Israeli interrogation centres have been filed, but only two resulted in a criminal investigation with *zero* indictments to date (The Public Committee Against Torture in Israel 2021). In its interrogation of detainees over the last twenty-plus years, the GSS used techniques banned in the 1999 HCJ ruling as well as a variety of other methods devised specifically to break the will of detainees. The HCJ and Israeli military courts play a fundamental role in allowing the torture of Palestinian detainees to continue unabated. Israeli military laws permit holding detainees in interrogation centres for up to 75 days during which detainees can be banned from lawyer visits for 60 days (Addameer 2020). During the period near the end of 2019, more than 200 orders were issued denying legal counsel and lawyer visits. As Addameer notes, “those detainees were only left with the interrogators who have been granted impunity for the crime of torture” (2020, 2).

Addameer’s lawyers filed 22 petitions to the HCJ against the ban on lawyer visits, 18 of which were rejected and 4 were later withdrawn when the ban was lifted. Addameer’s lawyers filed 80 appeals against prolonging detention periods; only 12 were accepted but only to reduce interrogation periods, not to halt them (Addameer 2020, 2). The majority of these appeals were rejected even though judges were able to witness for themselves the visible signs of torture marking the detainees’ bodies and faces. These legal processes effectively immunized interrogators and allowed for the continued detention of dozens of Palestinians with full knowledge that they were being tortured. The Israeli occupation has “since its inception, been shaped by lawyers, maintained through legal institutions, and justified by Israel on the basis of legal arguments” (Viterbo 2014, 299).

The Israeli carceral regime is also constituted by the impunity that has been granted to those involved in the torture of Palestinian detainees. The 1999 HCJ ruling states, “The Attorney General [AG] can instruct himself regarding the circumstances in which investigators shall not stand trial, if they claim to have acted from a feeling of ‘necessity’” (Public Committee Against Torture v. Israel HCJ 5100/94 1999, 26). These short lines, as Mann and Shatz note, have “effectively created a space of impunity for state officials to commit crimes within the so-called ‘necessity procedure’” (2010, 71). Responding to the “Attorney General can instruct himself” clause, Eliakim Rubinstein, the AG in 1999, published guidelines that effectively granted authorization to employ violent methods in “ticking bomb” situations. The guidelines stated that the AG “would consider refraining from instigating criminal proceedings if an interrogator employed coercive interrogation methods to secure vital information that prevented a tangible danger of grave injury to state security or to human

life, liberty, and integrity, and where the circumstances left no other reasonable means available to prevent the harm" (Loevy 2020, 329). The guidelines paid lip service to the Convention against Torture and Cruel, Inhuman or Degrading Treatment or Punishment by noting that refraining from instigating criminal proceedings would not apply if the means of interrogation used constitute torture as defined in the convention (Loevy 2020).

In 2011, a petition was submitted by three Israeli human rights organizations to the HCJ contesting the impunity offered by the AG's guidelines.¹⁵ The state responded by arguing that these mechanism "provided the right balance between the need to scrutinize GSS actions and the need to avoid disrupting the routines of security investigations" (Loevy 2020, 331). The guidelines later were changed to assign responsibility for the examination of complaints to the Ministry of Justice. However, none of these legal manoeuvres have impacted the impunity that interrogators continue to enjoy with virtually no exceptions.

The torture that Samer Arbid faced, which nearly led to his death, was one of the two cases that were investigated. Israel's Attorney General at the time closed the inquiry related to Arbid's case on January 24, 2021, arguing that "there are no grounds to prove that the crime of torture has been committed" (Addameer 2021a) This logic is illustrated by comments made by Nadav Argaman, the former GSS head, and Shai Nitzan, the former government lawyer who had ordered the probe. Nitzan said, "It is not clear what led him to need to be hospitalized. It is unclear... I am not saying necessarily for this case, but maybe a man while he is in detention can get a heart attack. Is it clear that it was because of torture or applying pressure? It's not at all clear" (Jeremy Bob 2021). Following the case's closure, Argaman commented that interrogators had "carried out their mission professionally, in a statesmanlike manner and according to law, and in their action saved the lives of many Israelis" (Steiner 2021). The Israeli authorities were only forced to open a criminal investigation of Arbid's case because of his condition when he was hospitalized, and the strong mobilization organized in his support. Yet, the end was the same: fortifying the impunity that torturing interrogators continue to receive from all branches of the Israeli judicial, security, and political establishment.

The second criminal investigation filed against GSS officers was closed for lack of evidence. The case involved a "cavity search" of a Palestinian female from Hebron who was arrested in 2015. Identified as 'N' in the media, she was searched to find a sim-card allegedly used for communication between Hamas members and allegedly hidden in her body (The Times of Israel 2021). While GSS officers confirmed that the search did indeed take place, the case was closed in April 2021, with none of the interrogating officers prosecuted (The Public Committee Against Torture 2021). Here, again, the Israeli juridical

¹⁵ The petition was submitted by the Public Committee Against Torture in Israel; the Association for Civil Rights in Israel; and HaMoked: Center for the Defence of the Individual.

establishment acted with complicity to further constitute the racialized Palestinian subject against whom torture violence is permitted for “security” purposes.

As these two failed investigations show, torture is not only sanctioned through the meticulously drafted legal codes that permit the infliction of “pressure” under justifications of “necessity”, but also through the oversight mechanisms that fail to redress crimes of state. These mechanisms constitute part of the same structure that permit the infliction of torture in the first place. They only serve to fortify the illusion that torture is not to be found in Israeli interrogation centres.

Conclusion

As the cases of the tortured Palestinian detainees discussed show, torture has never left the Israeli carceral project. Quite to the contrary, torture has taken a more central role in Israeli interrogation centres due, in part, to the legal structures put in place that allow for its persistence alongside the illusion of its absence. The Landau Commission’s report, the 1999 HCJ ruling, and the legal structures providing impunity to interrogators have managed to dress torture in the garb of legality where it appears as an exception. It is through this logic that Israel has managed to retain its ability to resort to torture in its interrogation of Palestinians, while simultaneously claiming that torture is never to be found.

Indeed, as this chapter had argued, the Israeli torture regime is constituted by a bureaucratised and centralised system of management through which torture is given a green light at every stage of the process. In Israeli discourse and practice, the resort to torture – whenever it manages to become public – will always be postulated as an exception needed to protect the state and its Jewish citizens from imminent threats. This “exceptional practice”, however, is ever-present and routine *because* the Palestinian body is conceived of as inherently dangerous and a threat to be controlled, if not eliminated.¹⁶ More importantly, the exceptional and legalized way in which “physical pressures” is presented has not solely allowed for torture to be practiced whenever the state deems appropriate, but also to create a situation where other methods

¹⁶ One example of this is Israel’s classification of Palestinians as “security prisoners”: a category that instantly distinguishes political prisoners from other “non-security” prisoners and denies them rights offered to Jewish prisoners. Another example is the policy of administrative detention allowing the Israeli authorities to arrest Palestinians and subject them to prolonged detention periods without sentencing or putting them on trial by claiming that they constitute a threat to the security of the state and its citizens. For more information, see, Baker, Abeer. 2009. “The Definition of Palestinian Prisoners in Israeli Prisons: ‘Security Prisoners’ – Security Semantics for Camouflaging Political Practice.” *Adalah’s Review* 5: 65–78; Daka, Walid. 2006. “Security Prisoners or Political Prisoners.” *Adalah’s Newsletter* 24: 1–4.

of interrogation become harder to depict *as torture* since, within Israel's legal discourse, they would not amount to "physical pressure".

The brutal torture to which Samer Arbid and the other detainees were subjected was not solely intended to extract confessions but to teach a lesson: Palestinians should not resist the Israeli occupation or else they will have to bear Israel's violent response. These detainees were Palestinian bodies brutalised to teach a lesson to those refusing to submit to Israeli control. Samer Arbid's defiant response to the court with which this chapter began is perhaps an attestation that the neutralisation and reengineering of the Palestinian population has not been accomplished, and perhaps will never be accomplished as long as Palestinians continue to powerfully design their own responses to Israel's changing strategies and regimes of control; of which torture has long been a central component.

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Chapter Four

The Israeli Annexation of The Jordan Valley: Exploring a History of Settler-Colonial Expansion

Atwa Jaber

Since Israel set an occupier's foot in the stunning Jordan Valley, it has established and expanded a settler-colonial regime upon the destruction of prosperous Palestinian societies. Often justified by a hollow security narrative, this regime has embodied since 1967 a continuity of a longstanding Zionist settler-colonial project in Palestine. Today, Israel's settler-colonial expansion in the Jordan Valley seems to approach a turning point in light of plans to officially annex the area. This chapter examines this annexation project from a historical perspective, treating it as a continuation of a process that entailed expansionist plans and policies which Israel had devised and implemented in the Jordan Valley and in Palestine at large. The chapter also highlights the implications of this process on the lives of Palestinians in the Jordan Valley and explores how Israel has distorted history in one of Palestine's central geographies.



Elsewhere

2020 | 50 x 50 cm, part of a constellation of 20 artworks, mounted on matt diasec.

Source: **Steve Sabella**, <https://stevesabella.space/pages/elsewhere>

Introduction

In recent years, Israeli governments have stridently expressed their intentions to officially annex parts of the occupied Palestinian West Bank, with an emphasis on annexing the entire Jordan Valley (Berger 2017; Trew 2019; Halbfinger 2019; Magid 2020; Staff 2020). These calls for annexation were famously backed by former United States President Donald Trump, who announced in January 2020 his peace plan for the Middle East—the “Deal of the Century” (The White House 2020).¹

As shown below in the Deal’s conceptual map, the planned annexation would sever Palestinian territories, diminishing any future Palestinian state into incoherent cantons; Palestinian cities, towns, and villages would be cut off by the settlements, and the latter are to be annexed as Israeli enclaves and incorporated into contiguous Israeli territory. This contiguity is assured by the settlers’ access to a network of routes that connect the annexed settlements to the heart of the Israeli state. In contrast, the contiguity of Palestinian territory is shattered by that of the settlers, and they are connected only through a network of segregated routes, tunnels, and by-pass roads. As for the Jordan Valley, this central geography of the West Bank is erased altogether from any future Palestinian entity and completely seized by Israel (Middle East Eye 2020; Eldar 2020; Yuval 2020; Tibbon and Landao 2020).

Figure 1: Conceptual Map of the Palestinian State as Proposed by Trump’s Deal



Source: **The White House 2020**

¹ I wrote this text in 2020 when the Trump-backed Israeli calls for annexation were the most recent development concerning the Jordan Valley. Since then, other developments have taken place, especially after 7 October 2023 and Israel’s genocidal war on Gaza (and, more recently, on Palestinian refugee camps in the West Bank). Under the guise of this war, Israel intensified its policies of confiscating more Palestinian lands, forcibly displacing Palestinian communities, further expanding illegal settlements, and spreading military-backed settler violence in the Jordan Valley. Today, especially with Donald Trump back to the White House, an official annexation of the Jordan Valley is more imminent than ever.

This depiction of Palestinians' future in the West Bank is not far from present reality, as many of these arrangements are already imposed by Israel's *de facto* settler-colonial regime.² Nonetheless, Trump's plan aimed to justify those arrangements, mainly adopting two rationales: *assuring Israel's defensible borders* and *guaranteeing its historical claims* in the land of Palestine. In doing so, it echoed two narratives that have been alternately used by the Israeli state to justify its settler-colonial expansion in Palestine, as this chapter will later discuss. The influences of Israel's official narratives on Trump's vision are further revealed when the latter explicitly assumes the impossibility of the former's withdrawal from the Palestinian lands it occupied in 1967 (The White House 2020, 7–8). Yet, the convergence between Trump's plan and Israel's expansionist vision becomes clearest in the context of the Jordan Valley, which is to be under permanent Israeli sovereignty.

The Deal offered an exhaustive arrangement deepening Israel's control of the Jordan Valley, conditioning the existence of its Palestinian population to negotiable arrangements (The White House 2020, 13). In fact, the Deal's second appendix dedicated an entire section to justifying and envisaging Israel's domination over the Valley's geography, demography, and natural resources. Unsurprisingly, this emphasis on the Jordan Valley mirrored numerous Israeli claims to indefinitely settle in the Jordan Valley as a strategic defensive belt and an eternal part of greater Israel (Rettig Gur 2013; Staff 2020). However, as discussed throughout this chapter, neither Trump's Deal nor Israel's recent annexation ambitions were the first to centralise the Jordan Valley in the Zionist settler-colonial project.

This chapter presents a historical trajectory of Israel's ongoing settler-colonialism in the Jordan Valley, arguing that recent calls for annexation are not isolated events in themselves, but rather a continuation of a process that has been in motion for almost a century. The chapter begins by delineating Palestinians' reality of life in the Jordan Valley around the mid-twentieth century, specifically during the two decades that preceded Israel's military occupation of the West Bank in 1967. It then sheds light on one of the earliest Israeli plans to permanently settle in the Jordan Valley, the Allon plan, highlighting its links to consequent stages of Israel's aggressive expansion in the area. Thereafter, the chapter explores intertwined settler-colonial policies that Israel adopted against Palestinians and their lands in the Jordan Valley to realise its expansionist scheme, drawing connections to similar Zionist policies in historical Palestine. Finally, the chapter revisits the current state of affairs in the Jordan Valley, exploring the consequences of an imminent annexation on the lives of Palestinians.³

² I use the concept of settler-colonialism to describe the Zionist structure of expansion and dominance in Palestine. By doing so, I adopt a land-, human-, and economy-oriented definition that mainly builds on the works of Patrick Wolfe (Wolfe 1999; 2006; 2016).

³ This chapter draws from my previous research on the social history of al-Jiftlik, as well as my ongoing doctoral research on the history of settler-colonialism in the larger Jordan Valley. I am grateful to the editors of this volume, Riccardo Bocco and Ibrahim Said, and for the anonymous reviewers, for their valuable comments on earlier versions of this chapter.

Enter the Jordan Valley

There may be something on the surface of another planet
to match the Jordan Valley: there is nothing on this.
George Adam Smith (1920, 468)

The lower *Ghor* or valley of the Jordan River, simply known as the Jordan Valley, has an alluring terrain. Parallel to the coast of the Mediterranean Sea, the 105-kilometer-long rift extends from the south-eastern corner of Lake Tiberias to the northern corner of the Dead Sea. At its heart runs the Jordan River, cutting through ancient sediments in one of the lowest areas on the face of the earth, generously fed by streams that carry rain and spring water from the mountain ridges on both banks of the river. On the ground, the Jordan Valley is as fascinating as it seems from above: its fertile lands are rough and steep, sinking in rifts of between five and fifteen kilometres deep; for thousands of years, it flourished with appealing colourful images of nature that are nowhere else to be seen.

Figure 2: A View of the Jordan Valley from al-Mu'arrajat Road.



Photo by **the author**.

Forming a topographical border between Palestine and the Hashemite Kingdom of Jordan (hereinafter Jordan), the Jordan Valley stretches over 1,600 square kilometres (1,600,000 dunums), or around one-third of the West Bank's total area. Its arable lands extend to more than 280,000 dunums, which made the Jordan Valley a notable home of agriculture throughout its history, including the Ottoman and British periods, producing a variety of profitable crops for Palestinians (Al Dabbagh 1991a, 1:96). This generosity of the Jordan Valley's land and water resources, as well as its strategic location as a passage to the east, made it stand out as an important thread in Palestine's social and economic fabrics. However, in the mid-twentieth century, two major events altered the Jordan Valley's established reality and had a determinantal effect on its near future: the *Nakba* in 1948 and Jordan's annexation of the West Bank in 1950.

1948-1967: The Valley that harboured the refugees

In the aftermath of the *Nakba*, which marked the ethnic cleansing of Palestine by the Zionists, hundreds of thousands of Palestinians took refuge in the neighbouring Arab countries of Lebanon and Syria to the north, while others were forced eastward towards Jordan.⁴ Not all of those who headed to the east completed their journeys, however, and tens of thousands instead took refuge in the Jordan Valley. Consequently, following the arrival of the refugees, the population of the Jordan Valley increased to an estimated 320,000 Palestinians, distributed among refugee camps around the town of Jericho, several villages, and numerous Bedouin and herding communities between Ein Jidi in the south to Bisan in the north.⁵ This sudden influx of refugees prompted major social and demographic shifts in the Jordan Valley.

Despite the devastating events that led the refugees to settle in the Jordan Valley, the agricultural prospects of the area laid the grounds for their socio-economic integration, particularly as many of them were *fallaheen* (peasants) before their displacement from their lands in historical Palestine. This was the case in the village of al-Jiftlik, which became home to thousands of Palestinian refugees who settled in what came to be al-'Ajara refugee camp. As many of the refugees originally worked in agriculture, they contributed to an increased utilisation of al-Jiftlik's land, working together with the village's peasant

⁴ By applying the term *ethnic cleansing* to the events of the *Nakba*, I refer to the systematic forcible expulsion of nearly 800,000 of Palestine's native Arabs, the destruction of over 500 of their villages, and their uprooting from several urban neighborhoods by the Zionist movement in what became the State of Israel. See: (Pappe 2007).

⁵ Estimations of the Jordan Valley's population at this period are still inconclusive. This is due, in large part, to the inconsistent data available from the Ottoman and British periods, as well as major demographic shifts that took place during and after each of these periods. I use here the estimation made by Hunaiti (2016, 25) while I further study this demographic dimension in my doctoral research, particularly in the archives of the Jordanian state.

community. That social and economic integration of the incoming refugees into the society of al-Jiftlik led al-'Ajajra camp to grow as an integral part of the village, becoming a commercial centre where Palestinians from the area marketed their agricultural produce (Interview with Mahmoud Masa'e'd 2019; Interview with Ali Marzouq Masa'e'd 2022).

To the southeast of Jericho, the refugee camp of 'Aqabat Jaber also grew to be an important community in the Jordan Valley, becoming one of the largest refugee camps in the West Bank; By the early 1960s, 'Aqabat Jaber was home to around 55,000 Nakba refugees (UNRWA 2015; Hunaiti 2016, 26), and was central to the economy of the Jordan Valley. A vast built-up market at the centre of the camp included various shops and businesses; textile, vegetables, fruits, and coffee shops, and some of the prominent Palestinian merchants had opened stores in the camp, which served not only the camp's population, but also the surrounding communities, including the town of Jericho (Interview with Kamal Sa'id 2022; Interview with Mustafa al-Akhras 2022).

Meanwhile, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) founded schools in the camps of the Jordan Valley as part of its mandate to provide services to the Palestine refugees. This also affected the lives of Palestinians in the Jordan Valley, bringing about more access to education in the area, both for refugee and non-refugee Palestinians. In al-Jiftlik, for example, UNRWA built two primary schools, one for boys and one for girls, attended by refugee and non-refugee children from al-Jiftlik and the surrounding area (Al Dabbagh 1991b, 2:571), providing nearby school for many Palestinians who otherwise used to travel long distances to Nablus or Jericho. Similarly, there were seven UNRWA schools in 'Aqabat Jaber and three in the camp of 'Ein al-Sultan to the northeast of Jericho, which also served refugee and non-refugee children in the area (*UNRWA Archival Footage F-069: Video Clip from 'Aqabat Jaber* 1987).

Eventually, by the mid-1960s, refugee communities became central to the societies and the economy of the Jordan Valley and the refugee camps were vibrant with activities of agriculture, commerce, and education for the refugee and non-refugee communities.

Figure 3: Students attending an UNRWA school in 'Aqabat Jaber camp during the mid-1950s.



Still image from a film titled 'F-045: Early Education in West Bank Refugee Camps'

Source: **The UNRWA Photo and Film Digital Archive.**

In addition to harbouring the *Nakba* refugees, another defining moment in the Jordan Valley's history was the Jordanian annexation of the West Bank in 1950.⁶ Upon this annexation, the West Bank became subject to Jordanian rule for nearly two decades, during which Jordan introduced several policies with significant consequences for the Jordan Valley's future geopolitics. On the one hand, the Jordanian regime introduced changes to the land administration policies in the West Bank, establishing a detailed system of land registration records. As discussed below, these policies later created a window of opportunity for Israel to expropriate massive areas of the Jordan Valley, benefiting from Jordan's land records to design a system of land expropriation under different pretexts (Fischbach 1994, 506).

⁶ This annexation was designed and enforced through a resolution that was adopted in the Jordanian Parliament in April 1950, following the boundaries of the 1949 Armistice Agreement with Israel. Despite being recognised by only a handful of states, it went into effect under the narrative of two unified banks of the Jordan River.

On the other hand, Jordan formulated plans during the 1950s to permanently resettle the Palestine refugees in the Jordan Valley, which entailed the development of agricultural projects in the area, particularly water irrigation systems.⁷ Such plans were devised under UNRWA's short-lived approach to development for the Palestine refugees, which hoped to establish social and political stability in the areas of their resettlement (Bocco 2009, 246). Eventually, these resettlement schemes were terminated, but remnants of the associated development projects continued to exist, which contributed to a growing Palestinian agriculture in the Jordan Valley during the 1950s and early 1960s.⁸

By the mid-1960s, the Jordan Valley had become an agricultural hub and a harbour for the displaced refugees, and continued to be a gateway to the east of Palestine.⁹ However, come the summer of 1967, life in the Jordan Valley entered a completely different reality, marked by Israel's complete takeover of historical Palestine.

1967: The Israeli occupation of the Jordan Valley

On 5 June 1967, Israel initiated its *Six-Day-War* (hereinafter the June War) against Jordan, Egypt, and Syria, from which it respectively occupied the West Bank, the Gaza Strip and Sinai Peninsula, and the Golan Heights.¹⁰ As a result, the Jordanian rule in the West Bank ended and the Israeli military occupation began, marking the start of a devastating era for the Jordan Valley's Palestinian population. Similar to many parts of the occupied territories, Israel's illegal occupation in the Jordan Valley marked the beginning of consequent stages of settler-colonialism that Israel established and entrenched, fuelled

⁷ For example, building on the modernist development schemes of the American Midwest, Jordan and UNRWA commissioned the Tennessee Valley Authority to develop plans to utilise the waters of the Jordan and Yarmouk Rivers for irrigation in the Jordan Valley (Chas. T. Main, Inc., Tennessee Valley Authority, and UNRWA 1953, 1).

⁸ Although less manifest than the land administration policies, this consequence of the Jordanian rule in the Jordan Valley is still significant. For example, I observed during my work in the Jordan Valley that, while Israel controls the vast majority of water sources in the area, Palestinians have been relying more in their struggle for water on the wells that the Jordanian Government dug before 1967. See: (UNOCHA 2021)

⁹ Historically, there were six functioning bridges across the Jordan River: Banat Ya'qoub, al-Majame', Sheikh Hussain, Damia, Allenby, and a railway bridge crossing from Haifa towards Dar'a in Syria. Those bridges, most of which Israel demolished upon the occupation of the West Bank in 1967, were established in different time periods to facilitate the mobility of Palestinians, as well as Arabs travelling to Palestine and its Mediterranean coast. See: (Al Dabbagh 1991a, 1:76)

¹⁰ *The Six-Day-War* is a term used by Israel to insinuate the swift takeover of the occupied territories. Palestinians refer to this war in Arabic as '*al-Naksa*', meaning 'the setback', which stems from the quick defeat of the Arab armies.

by longstanding Zionist ambitions that had been fermenting for decades.¹¹ Indeed, Zionist ambitions in the Jordan Valley were supported by the British mandate policies which granted preferential privileges to Jewish capital to establish industrial facilities to the north of the Dead Sea (Al Dabbagh 1991a, 1:86). Eventually, six of the forty-seven Jewish settlements that existed in Mandate Palestine until 1914 were established in the larger Jordan Valley (Al Dabbagh 1991a, 1:153).¹² Nevertheless, it was not until Israel militarily occupied the Jordan Valley in 1967 that its settler-colonial project in the area expanded.

Immediately after the occupation, Israeli plans of permanent settlement in the occupied territories emerged and came to be implemented; the Jordan Valley was at their core.¹³ The most pertinent of those plans to the Jordan Valley was devised by Yigal Allon, former commander of the Palmach Zionist militia and then member of the Israeli cabinet, who provided the blueprints for Israel's settler-colonial expansion in the area. In its broadest terms, Allon's plan called for the replacement of Israel's borders with new defensible ones that followed the region's topography, which would transform Israel's borders from the 1949's armistice line into the essential minimum degree of defensiveness, as to protect itself from the threat of Arab attacks coming from the east. To achieve that goal, Allon proposed the fortification of a frontier area, extending from the Golan Heights to the Sinai Peninsula, which entailed annexing a 15-20-kilometre-wide strip of the Jordan Valley (Allon 1976).

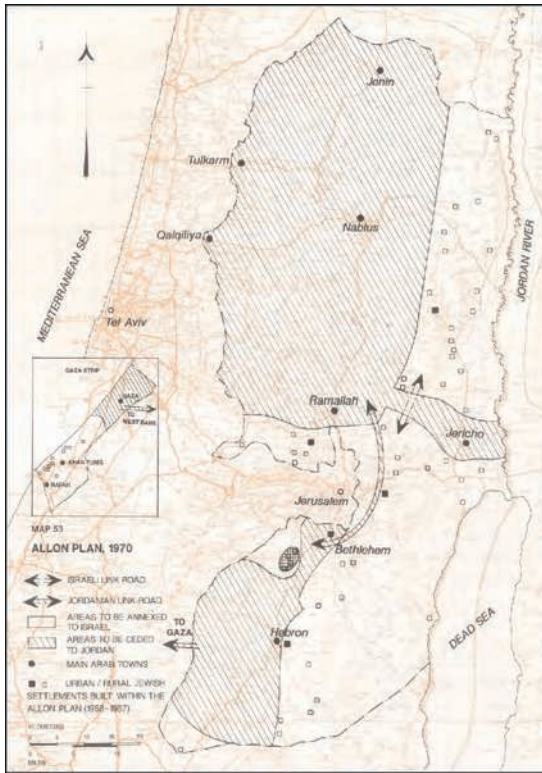
Beneath Allon's security narrative lied an expansionist settler-colonial ideology; to be achieved in reality, the plan required not only annexing the aforementioned strip of the Jordan Valley, but establishing settlements and military outposts along that strip to ensure its defensibility. As the map below illustrates, settlements in the Jordan Valley were then to be connected through a network of roads to Jerusalem, creating a corridor of annexed territories between the Jordan Valley, through Jerusalem, to the Israeli coastal depth on the Mediterranean (Weizman 2017, 278). The blueprints which Allon put forward at the time, although never officially endorsed by any Israeli government, have been profoundly affecting Israel's official policies towards the Jordan Valley—especially recent annexation schemes.

¹¹ Israel was fully aware of the illegality of the occupation. On 14 September 1967, the legal adviser of the Israeli Ministry of Foreign Affairs, Theodor Meron, concluded in a memorandum (now declassified) to his Minister that "[Israel's] civilian settlement in the administered territories contravenes explicit provisions of the Fourth Geneva Convention", expressing his fears that "while [even friendly countries] expect for Israel to settle Arab refugees, Israel is busy settling the administered territories with its citizens" (Meron 1967).

¹² By the *larger* Jordan Valley, I refer to the entire Jordan River basin beyond the occupied West Bank, which extends to areas inside Israeli proper.

¹³ I say emerged seeing that, as Pappé argues, Israel planned to stay in the territories ever since 1963. That year, members of the legal section of the Israeli army, academics of the Hebrew University, and officials of the Ministry of Interior devised a scheme (code-named The Shaham Plan) to facilitate the imposition of an organized military rule in the to-be-occupied Palestinian territories (Pappe 2013).

Figure 4: Map of Allon's plan



Source: **Benvenisti and Khayat** 1988.

Since the first days of the occupation, Israel perceived the Jordan Valley as a frontier, a defensive zone which required permanent military and civilian (in reality, para-military) presence (Weizman 2017, 58). Hence, the Jordan Valley became subject to policies which Israel carefully designed to create a geography with new a demographic reality, a land with as many Jews and as few Arabs as possible; the rationale that had long defined the Zionist settler-colonial project in Palestine. In fact, as the following section discusses, many of Israel's policies towards the Jordan Valley's land and population reflected a continuation of settler-colonial practices that Israel adopted against Palestinians since 1948.

Terra nullius: Depopulation by design

There is no such thing as wilderness, only depopulation.
Patrick Wolfe (2016, 23)

Israel's policies towards the occupied Jordan Valley aimed to create a depopulated area, aspiring for maximum territory and minimum population. This entailed coordinated and aggressive strategies of forced displacement, land expropriation, and perpetual settlement. To make way for the settlement scheme in the Jordan Valley, Israel displaced the vast majority of the area's Palestinian population to the East Bank of the Jordan River—many of whom Nakba refugees, displaced for the second time in less than two decades.¹⁴ Following their displacement, Israel prevented the return of the vast majority of Palestinians to the Jordan Valley and demolished several of their communities, making way for the settlement schemes to become a reality. The story of al-Jiftlik exemplifies this complex history.

When Israel occupied the Jordan Valley, thousands of Palestinians from al-Jiftlik were forced to leave the village and cross the Jordan River to the East Bank, including all the refugees from al-'Ajajra refugee camp. Among many others, Mohammad Masa'eed, an elderly Palestinian whom I interviewed in the village, took refuge with his three brothers and their families in the Jordanian village of Ma'addi on the East Bank, waiting for the sudden cloud of uncertainty to pass. A few weeks later, as Masa'eed recalled, the International Committee of the Red Cross (ICRC) informed them that those willing to return to the West Bank could register their names and then be taken back under the agency's protection. A minority, such as Masa'eed himself, agreed and returned to al-Jiftlik while the majority—including his three brothers and their families—were never allowed to return (Interview with Mahmoud Masa'eed 2019).¹⁵

Upon their arrival to Al Jiftlik, the minority of residents who managed to return went back to their houses across the village's depopulated neighbourhoods. Twenty days later, the Israeli military returned and informed the *mukhtar* (community leader) of the village that they decided to demolish al-'Ajajra camp, which must be completely evicted. As a result, residents of the camp moved to other neighbourhoods of the village, entering the empty houses of those who did not return. On the day of the planned demolition, the Israeli military inspected the village and found it to be scarcely inhabited, given that

¹⁴ Indeed, in the three refugee camps of Jericho alone (Aqabat Jabr, Ein Al Sultan, and Al Nuei'meh), the number of refugees dropped from 93,000 to less than 10,000 within a few months of the occupation (Hunaiti 2016, 26).

¹⁵ Only a minority of Palestinians whom Israel displaced upon the occupation had ever returned to the Jordan Valley. Between 1967 and 1969, Israel admitted only around 14,000 out of 175,000 Palestinians who had asked for permits to return to the West Bank (Dodd and Barakat 1969). None of the approved returnees were from the displaced Jordan Valley's Nakba refugees, estimated at the time to be more than 70,000 at the time (UNRWA Commissioner-General 1967).

the minority which returned was then scattered across the village's vast area. Therefore, the Israelis informed the Palestinians of a new decision: they will demolish all the empty houses in al-Jiftlik. Then, according to Masa'eed, came a day that he never forgot: Palestinians were ordered to mark the houses in which they stayed by putting white flags on their windows, and a mass demolition began. At the end of the day, he recalled, Israel had demolished more than half of al-Jiftlik's residential area (Interview with Mahmoud Masa'eed 2019).

During that summer, al-Jiftlik was one of around thirty Palestinian villages, hamlets, and refugee camps that Israel demolished in the Jordan Valley¹⁶ (Tamimi 2002; Hunaiti 2016; Jaber 2020). This series of demolitions, which continued until the mid-1980s, marked the continuation of a process that began with the mass displacement of Palestinians and the denial of their return, aiming to create a scarcely populated area which Israel required for its settlement plans to materialise.

Eventually, the intertwined policies of displacement, denial of return, and mass demolitions allowed Israel to create and maintain a new demographic reality in the occupied Jordan Valley; The vast area which Israel planned for permanent settlement had become entirely or partially depopulated, and the Palestinian villages, communities, and refugee camps that had long existed in the locations of the planned settlements were destroyed, in whole or in part. Hence, Israel entrenched its vision of an empty frontier at the expense of displacing and dispossessing Palestinians, followed by the systematic expropriation of the Jordan Valley's land.

The looted terrain

In the Jordan Valley, as well as the larger West Bank, Israel had organised a structure of methods to control Palestinian lands that were seized upon the occupation. This structure entails a complexity that is worthy of a separate and lengthy exploration. Nonetheless, it is important here to briefly engage with it and offer an overview of its intricacy. Since the beginning of the occupation in June 1967, Israel used various pretexts to appropriate the lands of Palestinians, each resting on one or more legal foundation that manipulated legislations predating the occupation. This included remnants of Ottoman, British, and Jordanian land administration laws, combined with hundreds of Israeli military orders.

For example, following military order No. 58 of 1967, Israel began confiscating the lands of Palestinians in the Jordan Valley under the Absentees' Property Law, by which the lands of displaced Palestinians became administered

¹⁶ There is still a need to examine carefully the exact number of these demolished communities, their societies, and the links between their demolition and Israel's settlement plans in the Jordan Valley, all of which I tackle in my ongoing doctoral research.

by a Custodian of Absentee Property, a branch of the military institution which displaced them and denied their return (Melon 2018, 20–21). In countless other instances, Israel took advantage of incomplete land surveys that began during the British and Jordanian regimes in the West Bank—a period that resulted in many unregistered privately-owned lands, which Israel confiscated by claiming that it is allowed to seize private properties for security reasons, and then massively expropriated them through claims of Israeli state ownership (Hareuveni 2011; Shalev 2012; Melon 2018).¹⁷

In the history of Israel's settler-colonial project, such policies of land expropriation were not new but rather a continuation of similar ones that began in 1948, when Israel started confiscating Arab properties and designating them for Zionist expansion. For example, in 1949, the Israeli Defence Minister reissued British emergency rules and regulations under the pretext of security, which granted Israeli military officers the right to expropriate Palestinian properties in Israel, to demolish them if deemed necessary, and to define closed security zones that prohibited Palestinian access (Saleh and Mustafa 1987: 17). Such policies, which contributed to the dispossession of Arab Palestinians in Israel and to their concentration in certain areas, were not different from the ones Israel applied in the lands occupied in 1967.

Furthermore, in 1950 Israel created the Committee for the Property of Absentees, and its custodian became the "owner" of the lands and properties that belonged to Palestinians displaced during the *Nakba*. Those lands were eventually transferred to the Jewish National Fund, which in turn declared them the "eternal property of the Jewish people" (Saleh and Mustafa 1987, 18). By such means, Israel managed to loot and control a majority of the lands that rightfully belonged to the Arabs whom the Zionists expelled from historical Palestine in 1948. Almost two decades later, this policy constituted the basis for the Absentee Property Law, which allowed Israel to control the properties of displaced Palestinians in the Jordan Valley and the larger West Bank.

In the context of the discussion at hand, drawing such links between Israel's policies of dispossessing Palestinians in different periods and geographic domains is a crucial synthesis, aimed to illustrate that Israel's settler-colonial project in the West Bank (including the Jordan Valley) is an extension of a larger Zionist expansionist project in historical Palestine. In fact, as Kimmerling highlights, the effortless character of Israel's post-1967 settler-colonial policies stem from the fact that "the Zionist institutions that built them and the laws that drove them... had all been going full throttle within the Green Line before 1967" (Kimmerling 2006, 38). In both parallels, Israel effortlessly worked to eliminate Palestinians and destroy their societies by expelling them in masses,

¹⁷ B'Tselem's 2012 report, *Under the Guise of Legality*, provides a careful chronological analysis of the various legal foundations on which Israel relied to design and implement its expropriation of Palestinian lands in the West Bank, particularly by claims of state ownership. See: (Shalev 2012)

looting their land, and denying them any possibility of return.¹⁸ Ultimately, the purpose of such policies has been to replace the Palestinian population with one of Israeli settlers, which entailed establishing and expanding the settlements.

The settlement enterprise

Israel's settlement in the Jordan Valley began in 1967 under the Israeli Labour Party's coalition government. On the surface, they justified laying the groundwork for their settlements project using the security narrative that embodied Allon's notion of defensible borders. However, at its core, the project carried the expansionist Zionist ideal of a Greater Israel, of which the Jordan Valley was an inseparable part. During that period, Israel established two belts of settlements that stemmed from Allon's vision. The first belt included agricultural settlements on the Jordan River plains, stretching between the south of the Dead Sea and the West Bank's northern border with Israel near Bisan. The second belt included industrial and agricultural settlements along the mountain range that overlooks the Jordan Valley, which began near Jerusalem and went on to meet the first belt to the north of the Jordan Valley (Saleh and Mustafa 1987, 18–19).

Consequently, by 1977, Israel had established a total of fifteen settlements in the Jordan Valley, marking significant progress in implementing its expansionist project in the area (Weizman 2017, 278). Then, as the Likud Party came into power, a new phase of Zionist colonialism began, characterised by more aggressive policies towards Palestinians. By then, Israel had abandoned the official security narrative for an ideological one, treating the entirety of Palestine as the liberated land of Israel and inalienable historical heritage of the Jewish people (Israeli Minister of Foreign Affairs 1977). Hence, the West Bank witnessed a rise in land confiscations and restrictions on Palestinians' lives, raging a fanatic expansion of the settlements.¹⁹ In the Jordan Valley, the Likud's aggressive expansionist project resulted in the accelerated establishment and inflation of one settlement after the other.

Regardless of the alternating narratives which Israel used to justify the settlements, its policies towards the Jordan Valley have continuously represented a common perception of geography as an inseparable part of Israel. Even after signing the Oslo Accords in 1993 and the establishment of the Palestinian Authority, around 90 percent of the Jordan Valley was designated as Area C, giving Israel full administrative and military control in the majority of the area

¹⁸ Here, I allude to Saleh Abdul Jawad's notion of "sociocide." He suggests that a main aim of the Zionist settler-colonial project was to destroy Palestinians as a society, uproot them from their land forever, and replace them with the Jewish Zionist society (Abdul Jawad 2007; 2008).

¹⁹ Interestingly, this mirrored a simultaneous annexation by the Likud of expropriated Arab properties inside Israel, such as the "Judaization" of more than 150,000 dunums in the Galilee in the early 1980s. This wave entailed annexing lands that belonged to twenty Arab villages, while dispossessing around 85,000 Palestinians (Saleh and Mustafa 1987, 21).

(UNOCHA 2012).²⁰ Hence, consecutive Israeli governments have directed a common strategy towards the Jordan Valley: establishing and expanding the settlements on its edges and at its heart, while forcing what remained of its Palestinian population towards the margins of a manacled reality.

Today, there are 30 established Israeli settlements and another 18 settler outposts in the Jordan Valley, inhabited by some 13,000 settlers who effectively control 95% of the Jordan Valley's lands (Ofra 2020). In their fortified spaces, those settlers obliterate the serenity of the Jordan Valley, targeting Palestinians with various forms of state-sponsored violence (B'Tselem 2019; Hammad 2019). Further, settlers heavily expropriate the Jordan Valley's resources that are strictly denied to Palestinians, namely water and solar energy.²¹ In consequence, the Jordan Valley has been gradually transformed into a blatant example of the settler-colonial space which Israel designed to accommodate the settlers and the settlements, while eliminating Palestinians in the process.

An ominous present

For the 65,000 Palestinians living in the Jordan Valley (PCBS 2020), the present seems as sporadic and suspended as the recent past. Under the shadow of Israel's settler-colonial policies discussed above, they have witnessed continuous strategies by the Israeli state and settlers to coerce them, yet again, into a new wave of displacement. Abu Saqer, an elderly Palestinian from Al Hadidiya in the north of the Jordan Valley, narrates this reality in the documentary *The Last Shepherds of the Valley* (Shahin and Azar 2012).²² In the earliest years of the occupation, he recalls, the Israeli military constantly detained and prosecuted Palestinians for utilising the lands designated for the settlements, where Palestinians had historically practiced herding, grazing, and agriculture.

When this method failed, the settlers began a state-sponsored campaign to shoot and kill Palestinians' cattle and livestock in the pasturelands of the Jordan Valley, particularly in the communities around the settlements. In return, Palestinians maintained steadfastness, choosing to remain in their lands against all odds. Then, in the mid-1990s, Israel responded by returning to the policy of mass demolitions. As Abu Saqer has witnessed countless times, the Israeli military would attack Palestinians early in the morning or late at night, usually

²⁰ In a speech to the Knesset prior to signing his infamous peace agreement with the Palestinians, former Israeli Prime Minister Yitzhak Rabin promised Israelis that the permanent solution to their conflict with the Palestinians will not result in a return to the 4 June 1967 lines, and that Israel's security border will remain the Jordan Valley "in the broadest meaning of that term" (Rabin 1995).

²¹ On Israel's exploitation of water resources in the Jordan Valley, see Al-Haq's report *Water for One People Only* (Koek 2013). Also, see WhoProfits' report *Greenwashing the Occupation*, which reveals the exploitation by the Israeli state and non-state capital of the Jordan Valley's solar energy (WhoProfits 2018).

²² I met Abu Saqer several times in the Jordan Valley, between 2016 and 2017, during my work with the United Nations reporting on Israel's demolitions in the area. He is a prominent representative of the Jordan Valley's Bedouin and herding communities that chose to remain in Al Hadidiya despite Israel's persistent harassment and demolitions against the community in general, and against him in particular.

in extreme weather, to confiscate and destroy their belongings and contaminate their food and drinking water. Then, more often than not, Palestinians would rebuild, and Israel would again return to demolish what was rebuilt.

This has been the case for Palestinian residents of the Jordan Valley's towns and villages, as well as Bedouin and herding communities, even the remotest ones.²³ This policy is accompanied with tight restrictions on Palestinians' movement and access to their lands, enforced by a network of trenches, earth mounds, fences, closed gates, and military checkpoints that are spread throughout the Jordan Valley.²⁴ By creating this reality, Israel has been gradually destroying two of the historical foundations of Palestinian life in the Jordan Valley: mobility and agriculture. Revisiting the example of al-Jiftlik, this reality is inescapable, where mobility had prospered and agriculture had flourished, until Israel initiated its settler-colonial project in and around the village.

Since 1967, Israel has expropriated Al Jiftlik's lands, controlled its water resources, and imposed suffocating restrictions on the mobility of Palestinians and their agricultural products. This has been gradually destroying the village's agricultural economy, which had thrived for more than a century (Hunaiti 2019; Jaber 2019). In fact, Israel's restrictions on the Jordan Valley's agriculture have been aggressive to the degree that the crops produced in al-Jiftlik became more expensive than the products of the surrounding settlements. The latter, cultivated on confiscated Palestinian lands, are being sold in the village as competitive to the local produce. Due to such circumstances, Palestinians are collectively abandoning agriculture, often left only with the choice of working as wage labourers in the settlements of their colonisers (Jaber 2019, 50–52).

Eventually, in al-Jiftlik and the larger Jordan Valley, fifty-three years of settler-colonialism seem to have transformed the current reality of life into a segregated space that resembles Frantz Fanon's compartmentalised world: two species – the colonised and the coloniser – occupying almost the same geography, yet living completely different realities (Fanon 2004: 5). In fact, as the aforementioned examples show, a dozen thousand Israeli settlers in the Jordan Valley inhabit a looted fortified space that has become superior to that of tens of thousands of Palestinians, now forced to the margins of their own world. For Palestinians in the Jordan Valley, the present seems as ominous as their past, and their future appears to carry more dispossession and displacement—particularly with the looming annexation.

²³ Through a series of the military orders discussed above, Israel designated most of the Jordan Valley as closed military zones, where the majority of Palestinian Bedouin and herding communities are located. This prohibits Palestinians from being present in these areas without permits, neither for residence, herding, nor agriculture. Israel has been using this logic to justify its policy of demolitions in the Jordan Valley (Melon 2018; UNOCHA 2012).

²⁴ In his analysis of this matrix of movement restrictions, Eyal Weizman describes it as a system of “on/off valves regulating [Palestinians'] movement, replacing the necessity for the physical presence of Israeli forces within Palestinian cities... dominating the Palestinians physically, collectively and politically by remotely controlling their movement” (Weizman 2017, 81).

Conclusion: The collusion between the past and the present

By exploring consequent stages of Israel's settler-colonial expansion in the Jordan Valley, this chapter highlighted the organised process that led to the area's current state of affairs. Upon the military occupation of the Jordan Valley in 1967, Israel's Zionist leadership formulated plans of annexation and permanent settlement in the area, which have been carefully implemented by consecutive Israeli governments through aggressive policies towards Palestinians: mass displacement, systematic denial of return, and organised demolitions; land expropriation; and expansive settlement. Regardless of the official narratives that Israel had used, alternating between *security* and *historical entitlement*, its policies were dominated by the common ideology of creating a land with as many Jews and as few Arabs as possible. Today, the outcome of this process materialises in the form of Israel's *de facto* control of nearly the entire Jordan Valley.

This analytical path offers two essential approaches to tackling the present reality, especially the annexation question. First, not to view it as an isolated event in itself, but rather as a continuation of an enduring Israeli expansionist scheme to permanently settle in the Jordan Valley. Drawing links between Allon's plan and Trump's "Deal of the Century", for example, shows that the annexation articulated today was devised decades earlier, and that present and past plans have similarly treated this geography as an inseparable part of Israel and the heart of its defensible borders. The second approach requires treating today's annexation scheme as a defining moment for Israel's settler-colonialism in the Jordan Valley, and not as its ultimate culmination. In other words, an annexation would not necessarily end Israeli policies towards the Jordan Valley's Palestinian land and population, but rather fully unleash them under official Israeli sovereignty. In fact, a realistic assessment of Israel's settler-colonial policies in other annexed geographies, particularly East Jerusalem, could depict an image of an annexed Jordan Valley: unstoppable settlement at the expense of greater isolation, dispossession, and displacement of Palestinians.

While this chapter attends to the past of the Jordan Valley and delineates aspects of its present, it hopes to offer a point of departure for future research on the Jordan Valley, particularly focusing on the social history of its Palestinian population since 1967. As indicated throughout the chapter, many episodes of Israel's occupation of the Jordan Valley are still unknown and require rigorous historical research, especially through oral history. While I write these words, Israel's settler-colonial policies in the Jordan Valley continue unchallenged, and Palestinians' devastating reality becomes more profound. Therefore, anyway the annexation wind blows, this is perhaps a most decisive moment to acknowledge, document, and examine the fading narratives of Palestinians.

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Chapter Five

Suffrage Rights in a Settler Colony: 1948 Palestinians Between Loss of Sovereignty and *Sumud*

Ibrahim Saïd

Building on Indigenous and settler colonial scholarship, this chapter deliberates and deconstructs the association between the extension of suffrage rights to the 1948 Palestinians and the claim of the State of Israel's democratic nature. It moves beyond the debates on procedural and substantive democracy to destabilise the notion of suffrage itself as a right in a settler colonial order of things, reflecting on the rationalities of its extension to native communities and its implication as a mentality of government on the 1948 Palestinians. It argues that one cannot understand the extension of suffrage to the 1948 Palestinians outside the boundaries of colonial governmentality that conditions these rights and sets their limits. Contrary to liberal approaches to civil and political rights as emancipatory, this chapter argues that the extension of suffrage rights to the 1948 Palestinians does not necessarily represent the democratic nature of the State of Israel or the inclusion of the Palestinians into the Israeli polity as is often claimed. Instead, it constitutes a settler colonial strategy of elimination that represents their loss of sovereignty, resulting in their exclusive inclusion and subjugation to the Zionist political project, which continues to characterise their relationship with the state to this day.



Elsewhere

2020 | 50 x 50 cm, part of a constellation of 20 artworks, mounted on matt diasec.

Source: **Steve Sabella**, <https://stevesabella.space/pages/elsewhere>

Introduction

In the summer of 2017, Nick Cave, the acclaimed Australian musician, defied the calls of the Boycott Divestment and Sanctions (BDS) movement, which was championed by fellow musicians Brian Eno and Roger Waters, by performing with the Bad Seeds in Tel Aviv. In his written correspondence to Brian Eno explicating his decision to perform in Israel, he concluded his letter thusly:

Ultimately, whatever the rights and wrongs of official Israeli action in the disputed territories, Israel is a real vibrant, functioning democracy – yes, with Arab members of Parliament – and so engaging with Israelis, who vote, may be more helpful than scaring off artists or shutting down means of engagement. (Cave 2018, 1)

Despite Cave's claims of impartiality, the political positioning displayed in his statement, exemplified in the use of the Israeli-promoted term "disputed territories" instead of the internationally recognised definition of occupied territory, for instance, not to mention his blind conviction of Israel's democratic nature is quite telling. Cave's rejection of BDS and implicit endorsement of the Zionist narrative, in addition to his critical views, as expressed in subsequent communications, of 'woke culture' and what he describes as 'cancel culture' in general – a "bad religion gone amuck" (Cave 2019, 1) in his views – has struck many with surprise. After all, Cave is a creative writer who has long explored the human condition with a depth of emotions.

Explaining his rejection of woke culture, Cave claimed to be "uncomfortable with all convictions that brand themselves as 'the truth' or 'the way'," as he puts it. Instead, he prefers to be in a constant "state of enquiry, neutrality and uncertainty, beyond dogma" (Cave 2019, 1). It is a state where there is "no right or wrong, no grand convictions, and where all systems of thoughts, at least in principle, have the right to be expressed under the guise of free speech" (Cave 2019, 1). This same conviction seems to guide his rejection to BDS, which he considers part of 'cancel culture'. In his views, "cancel culture's refusal to engage with uncomfortable ideas has an asphyxiating effect on the creative soul of society ... and strikes at the complex and diverse nature of its culture" (Cave 2019, 1). This is how the cultural boycott of Israel becomes "shameful and cowardly" in his eyes, tailored to "bully, shame and silence musicians... not to mention how it can be seen antisemitic at heart," as he claims (Cave 2018, 1). These convictions prompt him to reject calls for boycott for the sake of engaging with "Israelis, who vote", in an attempt to avoid "further entrenching positions in Israel in opposition to those you support" (Cave 2018, 1) in reference to Eno and Walter's position.

Consciously or unwittingly, Cave's pseudo-intellectual argument has failed to acknowledge that this state of "no convictions," this space of neutrality that he claims to dwell, is never outside the realm of power. Even his quest for

“enquiry” seems to not have escaped it; otherwise, how could he endorse the Zionist narrative, conflate Zionism with Judaism in his claim of antisemitism, or make such a blunt statement about Israel’s democracy, a notion that has long been critiqued even by Zionist scholars. In certain ways, Cave’s general statements and points of view on these critical issues demonstrate the cognitive dissonance of liberal ‘post-colonial’ subjects in the global colonial order we all inhabit. This cognitive dissonance tends to obscure the symbolic violence that embodies our everyday life and the inherent violent racism that ‘non-whites’ have to endure. It certainly demonstrates the reach of liberal colonial governmentality in framing our subjectivities and urges the need for both material and epistemic decolonisation at the local and global levels.

This chapter contributes to this epistemic decolonisation in the context of Palestine-Israel. Using Cave’s statement as an entry point, it aims to deliberate and debunk the association between suffrage rights and the claim of the State of Israel’s democratic nature. This is an argument that, beyond Cave’s statement, is repeatedly advanced in mainstream media and political discourse. The chapter argues that one cannot understand the extension of suffrage rights to the 1948 Palestinians outside the boundaries of colonial governmentality that conditions these rights and sets their limits. Contrary to liberal approaches to civil and political rights as emancipatory, it argues that suffrage rights extended to the Palestinians in 1948 do not necessarily represent the democratic nature of the state of Israel or the inclusion of the Palestinians into the Israeli polity as it is often claimed. Instead, it constitutes a settler colonial strategy of elimination that represents their loss of sovereignty, resulting in their exclusive inclusion and subjugation to the Zionist political project, which continues to characterise their relationship with the State of Israel until this day.

The argument presented moves beyond the discussions on procedural democracy – a term used to denote the particular procedures, such as regular elections based on universal suffrage, that produce an electorally legitimate government versus substantive democracy, which centres on the equal participation of all groups in society in the political process as the basis for legitimacy. Instead, it destabilises the notion of suffrage itself as a right in a settler colonial order of things, reflecting on the rationalities of its extension to native communities and its implication as a mentality of government on the 1948 Palestinians. While liberal thoughts consider universal voting rights essential to realising one’s political rights and equal participation in governance, in a settler colonial context, voting right is perceived as a symbol of dispossession and abolition of Indigenous forms of governance and sovereignty – with the situation of the 1948 Palestinians constituting no difference.

The chapter advances the main argument in four distinctive parts. First, it provides an overview of suffrage rights in liberal political thought and outlines its critique from critical and Indigenous scholarship perspectives. Second, it

applies the critique to liberal thoughts as an analytical framework to debunk the association between suffrage and democracy while reflecting on the shortcomings of key frameworks describing the nature of the state of Israel, namely ethnocracy. This framework, it is argued, obscures the settler colonial rationality, trapping the discussions within the boundaries and limits of settler colonial reality. Third, it describes the rationalities of extending suffrage rights to 1948 Palestinians based on a review of literature and archival materials of the Provisional Government and State Council meetings in late 1948 – 1949 detailing the internal and external consideration of extending such right as a settler colonial strategy of elimination. Finally, it showcases the implication of loss of sovereignty on transformative political participation in the settler colonial state.

Suffrage rights in liberal political thoughts and its critique

For generations, civil rights and women's rights movement around the world centred their struggle on extending the right to vote to marginalised communities as a step towards equality, justice and representative democracy. Liberal scholars argue that suffrage, the right to vote and be represented in government, is fundamental to the concept of democracy and the functioning of democratic societies. While the mere existence of voting rights is not necessarily indicative of a democratic regime, universal suffrage constitutes a central element of democracy or at least one of its main features. It is a crucial precondition for democratic governance alongside other checks and balances.

Scholars such as John Rawls and Robert Dahl emphasise the importance of procedural fairness in democratic processes. They argue that for a democracy to be legitimate, the procedures by which decisions are made must be fair and inclusive. Rawls underlines the importance of equal fundamental liberties, including the right to vote, to ensure that all citizens have an equal opportunity to participate in the political process (Rawls 1971). Similarly, Dahl asserts that political equality is essential for democracy, and suffrage rights are a primary mechanism through which this equality is realised. Without universal suffrage, a democracy cannot claim to be truly representative or just (Dahl 1971, 1989).

Beyond formal procedures, prominent liberal scholars argue that constitutional guarantees of political participation are fundamental for guaranteeing individual rights and civil liberties and creating civic relations among citizens. They emphasise the achievements of representation, equality, social justice, and the protection of various rights beyond just political rights. John Stuart Mill, for instance, argued that extending suffrage was crucial for a functioning democracy since it helped promote progress and protect individual liberties by

ensuring that all segments of society had a voice in government. Mill emphasised the importance of representative government as a means of ensuring that diverse interests within a society are adequately considered and protected. In his work *Considerations on Representative Government* (1861), Mill argues that a representative democracy is crucial for both the protection of individual rights and the promotion of the common good. He believed that suffrage should be extended to as many citizens as possible to ensure that all voices are heard and that the government reflects the will of the people. Ronald Dworkin considered suffrage to be a fundamental right essential for the functioning of a democratic society. He emphasises that political participation is central to individual autonomy and self-respect, allowing individuals to contribute to shaping the laws and politics that govern their lives (Dworkin 1989). Furthermore, Rawls emphasised principles of justice as fairness, advocating for equal political rights and opportunities as fundamental to a just society. He considers political liberties, including the right to vote, essential for citizens to effectively pursue their conception of the good life within a just society (Rawls 1971).

Scholars and civil rights activists like W.E.B Du Bois, particularly in his early work, highlighted the importance of political participation for African Americans to achieve true equality and integration (Du Bois 1903). He argued that without political power, African Americans would remain disenfranchised and subject to systemic injustices. Simultaneously, he acknowledged that simply granting legal rights and suffrage to African Americans was insufficient without tackling the underlying economic and social inequalities that perpetuated racial discrimination. Du Bois proposed the idea of the “Talented Tenth,” a leadership class of skilled African Americans who would lead the fight for civil rights. He believed this group could uplift the broader African American community through their involvement in politics and advocacy for social reforms (Du Bois 1903; 1903a). Influenced by Du Bois, Iris Marion Young argues that inclusive political participation is crucial for recognising and addressing the unique experiences and needs of marginalised groups, which, without political inclusion, remain vulnerable to oppression and injustice. She critiqued traditional liberalism for focusing narrowly on procedural aspects of democracy, such as the right to vote, and advocated for a broader understanding of democracy that includes addressing structural inequalities and ensuring inclusive participation (Young 1990). Moreover, she argues for a more inclusive model of democratic governance that goes beyond simple numerical representation to include the voices and perspectives of traditionally marginalised groups (Young 2000).

Despite the important contribution of liberal approaches to suffrage, critical race theorists and Indigenous scholars have offered substantial critique, arguing that liberal approaches often fail to address the unique historical and structural injustices faced by marginalised and Indigenous communities. Derek Bell argued that traditional liberal theories and legal frameworks fail to adequately address the systematic nature of racial discrimination and the

exclusion of 'non whites' population. Bell was critical of the civil rights movement's reliance on litigation and legal reforms, arguing that such strategies often resulted in limited and symbolic victories that failed to address the underlying structures of racial inequality (Bell 1980; 1992). Charles Mills argues that traditional liberal theories, including those of Rawls, overlook the racialised realities of American society. In *The Racial Contract* (1997), Mills contends that social contracts have historically excluded 'non whites' population, thus failing to account for systemic racial injustices. He criticises Rawls's original position and veil of ignorance for not adequately considering the impact of race and racial oppression on political and social structures (Mills 1997).

Advancing a more critical approach, Indigenous scholars critique the prism of rights itself in settler colonies. They critique suffrage and other forms of political enfranchisement as strategies of settler colonial elimination. This critique is embedded in the broader analysis of settler colonialism as a structure that aims to erase Indigenous presence and sovereignty (Wolfe 2006), framing enfranchisement, citizenship and other civil rights not as genuine inclusion but as a method of control, appropriation and assimilation. Across the settler colonies, the extension of political rights, including suffrage, has often been conditional upon Indigenous individuals or communities conforming to settler norms. This involved abandoning traditional practices and accepting settler-imposed definitions of property and governance. Such conditions effectively assimilate Indigenous peoples into the settler state, eroding their distinct political and cultural identities (Coulthard 2014). These scholars argue that the state continues to perpetuate colonialism through policies and practices that entrench its control and undermine Indigenous sovereignty.

In Canada, the extension of voting rights to Indigenous peoples has often been linked to policies that required the relinquishment of traditional governance systems and land rights. For instance, the 1885 Electoral Franchise Act granted voting rights to Indigenous men who met certain criteria, including abandoning their traditional status under the Indian Act (1876). This often meant relinquishing their connection to their community and its governance structures, thereby eroding Indigenous sovereignty (Leslie 2002). The Indian Act (1876) itself has historically been used to assimilate Indigenous peoples by imposing elected chief and council systems over traditional governance models. This imposition of settler forms of governance often accompanied other policies aimed at dispossession, such as the requirement for 'band' consent for land surrenders, which were frequently manipulated or coerced by the Canadian government (Tobias 1991). In Australia, the extension of suffrage to Aboriginal people in the mid-20th century did not come with protections for their land rights or traditional governance. The right to vote was often framed within the broader context of assimilation policies, which aimed to integrate Aboriginal people into settler society at the expense of their traditional lifestyles and land connections. This assimilation often meant the erosion of Aboriginal

land tenure systems and governance practices as the settler state sought to replace them with Western norms (Chesterman and Galigan 1997).

In this context of dispossession, Taiaiake Alfred critiques the focus on procedural democracy and suffrage for ignoring the deeper issues of cultural and political sovereignty. He argues that true justice for Indigenous peoples requires a fundamental restructuring of political relationships to recognise and respect Indigenous nationhood and self-governance (Alferd 1999, 2005). Similarly, Audra Simpson critiques liberal democratic frameworks, including those of Young, for not adequately addressing the realities of Indigenous sovereignty and self-determination. She argues that Indigenous struggle is often co-opted by liberal frameworks that seek to incorporate Indigenous people into the settler state rather than recognise their distinct political status and rights to self-determination. Simpson discusses the inherent tension between the desire for indigenous sovereignty and the pressure to participate in the political processes of settler states. She argues that while suffrage and political participation are often seen as essential components of democracy, participation in settler colonial system can undermine Indigenous people's claims to sovereignty and self-governance. She highlights the paradox faced by Indigenous people: participating in the political systems of the state may grant certain rights and recognition, but it can also reinforce the legitimacy and authority of the settler state over Indigenous lands and governance. Simpson explores the concept of "refusal" as a form of political resistance. She argues that Indigenous refusal to participate in settler politics can be a powerful assertion of sovereignty and self-determination. This refusal is not a rejection of political engagement per se but rather a strategic choice to resist assimilation and maintain distinct indigenous political identity and practices (Simpson 2014). Her analysis calls for rethinking democratic principles and practices to genuinely accommodate and respect indigenous political traditions and aspirations.

Equally, Glen Coulthard critiques liberal democratic frameworks for their inability to address colonial histories and the ongoing dispossession of indigenous lands, particularly politics of recognition. Coulthard argues that the politics of recognition, as practised by the Canadian state, operates within a colonial framework that ultimately reinforces settler colonial dominance rather than genuinely addressing Indigenous sovereignty. Coulthard criticises the superficial nature of recognition politics, which can involve symbolic gestures or limited forms of inclusion that do not address the deeper issues of land, sovereignty, and self-governance. These gestures can placate demands for justice without leading to substantive changes in the power dynamics between Indigenous peoples and the state, failing to address deeper issues of land rights and self-governance (Coulthard 2014). Political enfranchisement can be seen as one such gesture that offers limited inclusion within the settler state without challenging the underlying colonial framework that marginalises Indigenous sovereignty. More broadly, his critique undermines the assumption that participation

in the electoral processes of the settler state can bring about meaningful change for Indigenous people, arguing instead for a more radical rethinking of political engagement that prioritises Indigenous governance over integration and resistance to colonial domination (Coulthard 2014). His approach is deeply rooted in a decolonial framework that seeks to dismantle the structures of colonialism and build new forms of political, social and economic relations based on indigenous values and practices.

Similarly, Kēhaulani Kauanui critiques the multicultural frameworks often accompanying political enfranchisement in settler colonial states. She argues that these frameworks can mask ongoing colonial dynamics by presenting an image of inclusivity and equality that is conditional and superficial. This form of inclusivity often requires Indigenous peoples to conform to settler norms and values, thereby further entrenching their dispossession and marginalisation. Jeremy Wildeman and Mark Muhannad Ayyash in their co-edited volume *Canada as a Settler Colony on the Question of Palestine* (2023) extends the settler colonial framework to analysing Canada's foreign policy describing the way settler colonial rationalities guide the Canadian government's approach to the Palestine Question. In this volume, Azeezah Kanji shows how the language of multiculturalism and liberal anti-racism is also appropriated to repress Palestinian solidarity activism, showcasing the reach of settler colonial governmentality (Kanji 2023). This example emphasises that settler colonialism is not simply an event of the past but an enduring structure that continues to impact Indigenous peoples. It highlights the necessity of applying a settler colonial framework and for a more substantive engagement with Indigeneity, which is distinct from race, ethnicity, and nationality, to truly address the persistent inequalities and ongoing colonisation faced by Indigenous communities (Kauanui 2016).

Unpacking the discourse of rights: A critique of ethnocracy

Seldom has the extension of civic and political rights to the 1948 Palestinians been analysed from the viewpoint of critical, Indigenous scholarship and settler colonial critique (see Robinson 2013; Jabareen 2014; Tatour 2019). The liberal understanding of suffrage broadly characterises scholarship debating Israel's democracy. This scholarship highlights the extension of civic and political rights to 1948 Palestinians and the centrality of the Declaration of Independence in promoting these rights as an indication of the democratic characteristics of the state. Distinguishing between democratic features and democratic structure, there seems to be almost a consensus in the mainstream academic literature debating Israeli democracy considering the extension of

suffrage and other civic and political rights to the 1948 Palestinians as a feature of Israeli democracy. However, doubts arise over Israel's democratic structure and the extent to which that structure embodies democratic principles or rather represents something else. For example, key academic definitions describing and debating the nature of the state, such as a liberal democracy (with stains) (Neuberger 1998), ethnic democracy (Smootha, 1997; 2001) and ethnocracy (Yiftachel 2006), all consider the extension of suffrage rights to the 1948 Palestinians, who later became citizens of the State of Israel, as constitutive of Israel's democratic feature. What characterises all these definitions is that Israel is described as a procedural democracy. However, disputes emerge about the extent to which it qualifies as a substantive democracy and the implication of this on the definition of the state. None of this literature approaches the notion of rights from a critical settler-colonial perspective.

For instance, Benyamin Neuberger (1998) argues that Israel is fundamentally a (liberal) democracy – albeit with stains, based on its institutional framework, which includes regular free elections, a multiparty system, an independent judiciary, and protection for civil liberties. He highlights that these institutions are designed to uphold democratic norms and ensure the rule of law while also pointing out the challenges and tensions posed by its ethnic and national identity, which manifest in various aspects of political and social life. He claims that Israel's electoral system reflects the pluralistic nature of Israeli society and supports democratic participation, although acknowledging the discriminatory policies and underrepresentation of 1948 Palestinians in political processes. Neuberger emphasises the need for systematic reforms to enhance the inclusion of 1948 Palestinians and increase their representation, including equal treatment in legal and administrative frameworks, but does not challenge the settler colonial Zionist foundations of the state and its modes of control. Shmuel Eisenstadt also recognised that Israel has many features of liberal democracy but emphasised the complexities and contradictions inherent in its structure, particularly given its identity as a Jewish State. Eisenstadt's analysis of Israeli democracy includes an understanding of how the country's foundational Zionist ethos and its diverse societal makeup led to both opportunities and tensions within its democratic framework. He highlights the ongoing challenges related to political representation, systematic inequalities and tension between maintaining a Jewish state and upholding democratic principles. Still, he singles out Israel – alongside India, as a rare case in the Western hemisphere that has managed to sustain its democracy despite the challenges (Eisenstadt 1999).

Similarly, the extension of certain civic and political rights to 1948 Palestinians drove Sammy Smootha to define Israel as a democracy, albeit an ethnic-democracy. Aware of the systematic inequality, particularly in the exercise of collective rights, he classifies Israel as a second-rate democracy. Yet, he maintains that the state possesses an overall democratic framework, a "democratic political system ... real no façade" (Smootha 2001, 24) which

guarantees basic civil rights. Smootha's analytical framework tends to have a large consensus among Israeli sociologists. Building on these assumptions, several academics often claim Israel proper is a democracy corrupted by the occupation of the 1967 territory. We can see this, for instance, even in some of Neve Gordon's writings (2010; 2008) – which, building on Michel Mann's *The Dark Side of Democracy* (2005), insinuate that Israel proper - post-1948 is a democracy – based on the conception of “the people” deploying colonialism of the 1967 border as a strategy to obtain economic, geopolitical goals and social, political objectives (Gordon 2010). This analysis tends to obscure the settler colonial nature of the state and modes of operations – although at times acknowledging it, and ignores the liberal colonial governmentality of rights, which subjugates the 1948 Palestinians and shapes their subjectivities.

Even literature applying a settler colonial framework to the Palestine-Israel context often adopts a similar position. For instance, Oren Yiftachel asserts that extending rights to the 1948 Palestinians, including the right to vote, is a feature of democracy that distinguishes Israel from an authoritarian regime. However, unlike previous models, which consider Israel as a democracy or one variant of it, Yiftachel qualifies Israel as an ethnocracy instead – defined as a “specific expression of nationalism that exists in contested territories where a dominant ethnos gains political control and uses the state apparatus to ethnise the territory and society in question” (Yiftachel 2000, 730). He argues that in such a context, “the [democratic] features [of the state] tend to work on a surface level, while the deeper structure is undemocratic, mainly because it facilitates and promotes the seizure of territory, resources and power by one expanding ethnos” (Yiftachel 2006 35). “The lack of democracy,” according to Yiftachel, “rests on unequal citizenship and on state laws and policies that enable the seizure of the state by one ethnic group.” (Yiftachel 2000, 730). For Israel to be transformed into a democracy, Yiftachel offers two crucial turning points. First, the constitution of a demos; that is, making the State of Israel a state of all its citizen residents by withdrawing from the occupied territory and dismantling of settlement; and second, recognising the 1948 Palestinians as a national minority within the State of Israel. The scenario he proposes calls for a profound transformation of Israel from a Judaizing ethnocratic state to a multi-communal democracy based on the concepts of consociationalism, multi-culturalism and social justice; de-colonisation of the entire area of the occupied territories and the establishment of a Palestinian state; a joint bi-national capital for both states in an open, undivided Jerusalem; a national minority status for Israel's Palestinian citizens based on equality and autonomy; recognition and facilitation of other cultural minorities in Israel, acceptance of Israel's share of responsibility for the Nakba, and for the right of return, with considerable constraints on the geography of its implementation (see Yiftachel 2007, 188).

The conceptual framework of ethnocracy recognises the foundation of Israel as built on the dispossession of the Palestinians and provides an

important account of the Judaization and de-Arabisation practices of the State of Israel. However, similar to other frameworks, it is built on both Zionist foundations, which depict the territory in Palestine Israel as disputed and underlying assumptions that tend to overlook the governmental dimension of rights in a settler colony. As a framework, ethnocracy places emphasis on negative bio-politics that creates hierarchies between the different 'ethnic' groups, one that privileges the coloniser over the colonised but fails to explain the different regimes of rights that exist in Palestine Israel or their effect of rule. This shortcoming undermines the capacity of ethnocracy as a model, in general, and 'ethnicity' as a differentiation factor, in particular, to explain the differences between the Palestinians in the West Bank, Gaza, Jerusalem and within the green line and the different rights regimes that govern them (Azoulay and Ophir 2012). While ethnicity, as an analytical factor, could be important in certain context, it might not be the most suitable in a settler colonial context. This blind spot undermines the ability of ethnocracy, as a conceptual framework, to capture the complexities of the settler colonial state, its multiple forms of power and modes of control over the native Palestinian population. Ethnocracy, one could argue, is a (one) biopolitical strategy instrumentalised by the settler colonial regime and driven by the logic of elimination to assert its power. It is a tactic that is inherent within the racist nature of colonialism and settler colonialism itself, which, according to Fredrickson, is the "purest form of racist impulse" (cited in Chatterjee 1993, 19). Nevertheless, the decolonisation of a settler colonial entity is a much larger and more complex process than the limited scope of the transformation from ethnocracy to democracy, as suggested by Yiftachel.

Yiftachel's suggestion of consociationalism as a future model of government overlooks that ethnicity itself is the foundation principle of consociational democracy, which is, in fact, an arrangement between the elites of the different ethnic groups that subsequently makes ethnicity a constitutional principle of the state (Peled and Peled 2011). Consociationalism can reinforce and perpetuate divisions rather than fostering integration and unity. It can solidify ethnic, religious, or linguistic lines, making it harder to develop a cohesive national identity. This suggested model for solution resorts to the ethnic regimes or ethnic states model, which ethnocracy aspires to critique in the first place. It is important to note that ethnicisation, creating hierarchies, and privileging in the lives and interests of the settlers over the colonised population is rather the product of a certain rationality of government, a settler colonial rationality of government and its logic of elimination. Ethnocracy is thus the materialisation of this rationality and the settler colonial structure of power, which ultimately cannot be undermined.

Importantly, Yiftachel's description of Israel as an ethnocratic settler state, one could argue, ultimately normalises the notion of a settler state itself rather than problematising the term, which is indeed what is needed. As ethnocracy

turns into democracy, Israel, according to Yiftachel's model, becomes a settler state "democracy" on par with the United States, Australia and Canada. This analysis simultaneously overlooks the complexities of settler colonialism and the relationship between the colonised and the coloniser, which continues to persist in these so-called 'post-colonial' settler colonies. Yiftachel briefly brings the case of Canada's multiculturalism and Indigenous self-government as an example of a successful transformation from an ethnocracy into a democracy. His sketched example of the Canadian case, nevertheless, overlooks the settler colonial nature of the Canadian state and the continuous dispossession, ghettoisation, marginalisation and struggle of the native population, and the critique of politics of recognition as an instrument that advances the settler state project of elimination of Indigenous people as distinct people in Canada and elsewhere within the settler colonies.

The Palestinians, and 1948 Palestinians, as a native population of historic Palestine, should not be solely conceptualised through the functional prism of human rights, minority rights, violations, discrimination, inclusion and recognition. Beyond discrimination and rights violations, the concept of rights itself in a settler colony must be unpacked to understand their rationality, representations and effects of rule as a mentality of government within the settler colonial reality. It requires viewing these rights as a form of colonial governmentality governing the conduct of conduct of 1948 Palestinians, subjugating them and shaping their subjectivities through other means, moving beyond the legalistic normative approaches to rights. These understandings require the unpacking of civic and political rights extended to the 1948 Palestinians, including but not limited to the extension of the right to vote. The extension of suffrage, as we will see below, constitutes a strategy of settler colonial elimination driven to serve the interest of the newly established state.

Extension of suffrage: Rationalities and representations

In the midst of the state's necropolitical practices in 1948, following the rejection of Israel's first bid to join the United Nations, the 1948 Palestinians were granted suffrage rights. Despite its centrality in democratic societies, this right was not conceived as a means for the Palestinians to have an impact on the political sphere. Instead, it had external and internal considerations for advancing the interest of the Zionist project and the newly established state, particularly tied to questions of sovereignty. Externally, according to Shira Robinson, the extension of political rights to the 1948 Palestinians was an "unprecedented colonial bargain that the Yishuv believed it had to strike in order to gain international recognition" (Robinson 2013, 55). Unlike other

colonial settings, 1948 Palestinians received political rights well before citizenship, which was awarded to them three years afterwards in 1952. The Provisional Government required time to reconfigure a citizenship regime that reconciled the Jewish character of the state with universal citizenship; hence, it opted first to extend suffrage as a strategic move to advance the state's interests. Ben Gurion made it clear that holding elections was vital for internal and external reasons despite the circumstances – at the time, due to “the ongoing war” (PG Protocol for 8 August, 1948, 23). Importantly, he tied the question of sovereignty of the Jewish state with UN recognition, which elections played an important part of its realisation. Addressing the Provisional Government on August 8 1948, during a discussion on possible dates for the elections, he reiterated the urgency of holding elections sooner rather than later. He admitted, “[W]e live in the illusion that we have a country. We still do not have a country... we request to be accepted as members of the UN; if we succeed... it will be one of the greatest reinforcements to our country... [A]s soon as we are added as a member of the UN [then] we are a country (PG Protocol, 8 August, 1948, 24).” This sentiment was reinforced and supported by the Foreign Minister who insisted “it will make a huge difference if we show up to the UN General Assembly as a Provisional Government or as a coalition carrying a mandate.... given to it by the electorate in Israel” (PG Protocol, 8 August, 1948, 28).

Although the question of 1948 Palestinians that fell under Zionist rule was secondary to the discussions at the UN, which primarily centred around the refugees and the right of return, the extension of rights to the 1948 Palestinians was a factor in the broader diplomatic context of its recognition and admission to the UN, particularly in the considerations of the Provisional Government. At the time, the Provisional Government seriously considered the recommendation under the Partition Plan detailing the requirements for a successful “transition process” from Mandate Rule to independence. While the Provisional Government did not commit to implementing the Partition Plan in its entirety, it selectively implemented specific provisions perceived as crucial for gaining legitimacy and international recognition as a sovereign state. Nuances of this can be seen in the articulation of the paragraph of rights in the Declaration of Independence, which almost mirrored the provisions under the Partition plan to “anticipate any vain excuses that may hinder the establishment of the Jewish state,” especially since the Yishuv drew its legal justification for the right to establish a Jewish state from the partition plan (Saïd 2020, 8).

This approach, which saw the Yishuv selectively use some provisions under the Partition Plan, continued following the establishment of the state, can be clearly observed when formulating the state governance structure during the ‘transition period.’ Hence, already as early as May 19, 1948, provisions under Law and Administration Ordinance No. 1 of 1948 extended participation in the Provisional State Council and Provisional Government to representatives of the 1948 Palestinians, although conditioned by a decision from the Provisional

State Council and Government. Articles two and three of the Ordinance stipulate that “representatives of Arabs being residents of the State who recognise the State of Israel will be co-opted on the Provisional Council of State/Provisional Government, as may be decided by the Council/Government; their non-participation in the Council/Government shall not derogate from its power.” Ultimately, no representative of the 1948 Palestinians became a member of the Provisional State Council or Provisional Government. However, the extension of such rights, although conditionally, indicates the importance awarded to specific recommendations under the Partition Plan, particularly for acquiring legitimacy. It is worth noting that this conditional inclusion in governance continues to reflect 1948 Palestinians’ participation in the Knesset, which strengthens the state’s image as a democracy but is equally rendered meaningless, with their non-participation in government not detracting from its authority. On the contrary, in recent decades, the exclusion of 1948 Palestinians from governance is being used to establish the legitimacy of political parties and governments in Israel and attract Jewish Israeli voters’ support.

In addition to external legitimacy and recognition of sovereignty, extending political rights to the 1948 Palestinians was instrumental to expanding Zionist Sovereignty over the occupied or administrated territories, the territories which were supposed to be part of the Arab State under the Partition Plan, imposing facts on the ground that would determine the current borders of the state. In effect, it served as a settler colonial technology of elimination that led to the accumulation of land by the newly established state, the loss of sovereignty of the 1948 Palestinians and their subjugation to the newly established Zionist regime. Questions related to territory and borders of the state were an important concern to the Yishuv, highlighting their pragmatic and opportunistic approach to colonising Palestine. While the Provisional Government implemented certain provisions under the partition plan to claim legitimacy, it refrained from determining the territorial borders of the State of Israel, remaining silent on this issue – strategically. As Ben Gurion explained already in the People’s Council on May 14 1948, “We decided to avoid (I choose this word on purpose) this question for a simple reason: if the UN holds its decision – then we, for our part (I mean the opinion of the people) will respect all the decisions. Until now, the UN has not done such a thing... and therefore, we are not obliged to adhere to everything, and we kept this matter open. We did not say “no to the borders of the United Nations’, but we did not say the opposite either. We left this thing open to development” (PC Protocol, May 14, 1948, 19). Indeed, under the circumstances of the 1948 ethnic cleansing of Palestine (see Pape 2007), the Provisional Government worked tirelessly and consciously on extending the jurisdiction of the newly established state over the ‘occupied’ or ‘administered’ territories – in an effort to determine facts on the ground. These efforts were conceptualised in the different Ordinances and declarations issued by the Provisional Government and the Military Government, respectively,

starting with the Abandoned Area Ordinance (1948), which gave the state wider control over entire “abandoned areas” and not just emptied property. This Ordinance awarded the Prime Minister and other Ministers the authority to issue regulations governing the everyday life of 1948 Palestinian residents of the “abandoned” territories. This Ordinance was followed by an extension of the Israeli jurisdictions over Jerusalem in August 1948 by the Military Government and then to the remaining occupied territories in September 1948. This culminated with the adoption of Area Jurisdiction and Powers Ordinance No 29 of 5708 – 1948 on September 16, which enshrined the extension of the state’s jurisdictions over the occupied territories in an established law with retroactive effect as of May 15 1948. In practice, this Ordinance included the territories but not necessarily the people residents of these territories, which continued to be subject to forced displacement and expulsion since the law applied to them selectively and strategically. However, as one may argue, this Ordinance, and particularly the desire to extend Zionist sovereignty, represents the main rationality for the inclusion of 1948 Palestinians in the Israeli polity.

Driven by the desire to extend the Zionist Sovereignty over the occupied territory, it was crucial to extend suffrage rights to the 1948 Palestinians. Implicitly or explicitly, officials in the Minister of Justice were very well aware of the importance of 1948 Palestinian inclusion in the elections and the legitimacy of the state’s authority and jurisdiction in the occupied territories. Interestingly enough, the legal advisor to the Ministry of Justice who drafted the Area Jurisdiction Ordinance was less worried about the international community’s response to the extension of Zionist sovereignty over these territories but shared his concern about the possible internal legal battles in Israeli court that may challenge the extension of sovereignty over the administered territories. As he explained in his letter to the Minister of Justice in September 1948: “[T]he truth is that I am less afraid of the complications that will arise after the war in terms of international law than of the complications that will arise now in our courts, the complications in this regard cannot be resolved except by an appropriate law on behalf of the State Council as a model of jurisdiction and powers”, which mainly came to eliminate any possibility of appeal to extend state legislations to Jerusalem and other occupied territories (MOJ, September 9, 1948, 000awtm-249917). The legislations suggest a new terminology, the “inclusive territories”, which considers the territories of the state and the occupied territories as a cohesive unit rather than isolated territories which the state law extends to it. This same terminology was used in the Constituent Assembly Elections Ordinance to hold the elections in all the territories of the newly established state, including the occupied territories.

The Constituent Assembly Election Ordinance (1948) was inclusive. Unlike colonial legislation in the United States, Canada and Australia, it did not discriminate against any individual, granting every person over 18 residing in the country at the time of elections and counted in the census the right to vote,

including the 1948 Palestinians. However, formulating the scope of the legislation was not without challenges. It was accompanied by several disagreements among members of the Provisional State Council and the Government. The main disagreements relevant to our discussion were related to the extension of suffrage to the 1948 Palestinian residents of the occupied or administrative territories and the territorial scope of the Election Ordinance, which granted voting rights only to those being counted in the population census and physically present in the country. Both decisions were motivated by state interests, driven by settler colonial rationality of elimination, which stripped 1948 Palestinians and Palestinian refugees of their sovereignty, the first by extending suffrage to them and the second by considering them absent, thus limiting the possibilities for them to return.

Contrary to Zionist claims that the Palestinians never were sovereign in Palestine, Lauren Banko (2016) argues that Arab leaders in Palestine advocated for a communitarian model of citizenship. In this model, membership and rights to the political entity and its resources are granted by birth or descent within a specific national community. This perspective underscores a collective approach to citizenship, focusing on shared identity and heritage rather than the individualistic, rights-based frameworks typical in Western democracies. It highlights the intrinsic connection between the people and their land, underlining a profound belief in the indigenous population's right to self-determination and resource control. This view contrasts sharply with the Western concept of citizenship as a legal status conferred by the state, emphasising the significance of historical and cultural ties in the Palestinian context (see Banko 2016, 6). Hence, one may argue that the extension of suffrage to 1948 Palestinian residents of the occupied or administered territories, which resulted in the extension of Zionist sovereignty over these territories, disrupted these local forms of citizenship and belonging and undermined 1948 Palestinians' right to self-determination subjugating them to the settler colonial regime.

The 1948 Palestinian residents of the occupied territories, which constituted the majority of Palestinians remaining in the newly established state, were included in the elections under the virtue of residing in the inclusive territories where the state law applies. At the time, several concerns were raised not only about the participation of the 1948 Palestinian residents of the occupied territory but also those who resided within the boundaries of the Jewish as described under the Partition Plan. Particular objection came from the Middle East Department at the Minister of Foreign Affairs, which objected to granting suffrage to all 1948 Palestinians, including those residing in the state-assigned territories under the Partition Plan. In a letter addressed to the government, Yaakov Shimoni, the head of the Middle East desk at the Foreign Ministry, claimed that the "participation of the Israeli Arabs in the elections in a normal manner and without any special arrangements may, on their own, make a good impression of democracy on the outside, but may lead to serious damages on

the inside" (MFA 1948, 000s1i9). He feared the consequences if an "internal Jewish election wars" may reach the "Arab street" and the way it may be perceived, which may undermine the security of the state. Yehoshua Palmon, then with the Ministry of Foreign Affairs and at the time Military Governor, also opposed extending suffrage to 1948 Palestinians. "Do not let them feel like citizens!" he proclaimed, lest they encourage the refugees to return and demand free movement and the restoration of their property (quoted in Robinson, 2014, 254). Additional concerns were raised by the Military Government, which voiced its reservations regarding the participation of the residents of the administered territories in the elections. Elimelech Avnir, Commander of the Military Government, voiced similar concerns to those of Shimoni how the "internal Jewish election wars" may be interpreted by the Arabs as a sign of "weakness and divisions within the Jewish Yishuv." Most importantly, he questioned the legality of extending suffrage to the 1948 Palestinian residents of the administered territories, stating, "[A]s far as I know, it never occurred before that elections constituent council are held in administrative territories..." (MG 1948, 000awtm-249917). He also doubted whether the Law and Administration Ordinance of 1948 obliged the extension of suffrage to residents of the administered territories, arguing it should only extend to the citizens of the state residents in these territories. However, at the end of his letter, he also acknowledged that there may be some political consideration or other reasons behind the government's decision to extend suffrage to the 1948 Palestinian residents of the administered territories that he may not be aware of and accepted the government's verdict in such a case, pointing out some considerations that may be required to ensure an orderly election process in these territories. These concerns were brought to the Provisional Government meeting on December 20, 1948, where the Minister of Interior implored in his response to Avnir that there was no other option: "Arabs must participate in the elections" (PSC Protocol, December 20, 1948, 9). Bechor-Shalom Shitrit, the Minister of Minority Affairs, was the only Minister to object the government's decision, declaring, "[C]an anyone imagine that England would let her colonies' subject participate in (their) parliament's election ... it would be absurd in terms of international law [because these are 'occupied territories'] and even more absurd in terms of Jewish interests" to grant this right to the Nazareth area (PSC Protocol, December 20, 1948, 13, also quoted in Shenhav 2006, 262). To that, Felix Rosenblut, the Justice Minister, replied: "It is known to the government that after serious considerations, we have done something that perhaps contravenes international law: we applied the state laws on the administered territories; therefore, we have to conduct the elections also in the administered territories" (PSC Protocol, December 20, 1948, 13). In fact, the relevant law that should apply in these territories is the Hague regulations. Nonetheless, as Jabareen (2014) has shown, this law does not prohibit voluntarily accepting participation in the national elections of the occupying power. Accordingly, while the application of Israeli laws to the occupied territories is prohibited under international law, the extension of suffrage

to the 1948 Palestinians and, most importantly, their acceptance to participate in these elections “has consequences as it indirectly accepts as binding the citizenship law of the occupying power” (Jabareen 2014, 195). Hence, by applying Israeli law in the territories that the international community had not yet acknowledged as part of the Jewish state and by holding elections and giving Palestinians in those territories voting rights, Israel created facts on the ground that would serve to advance international recognition of its sovereignty in these territories. This ultimately explains why the advisor to the Minister of Justice was less concerned about international law, as 1948 Palestinian consent manifested in participation in the elections would have nullified the challenge.

The decision to establish territorial elections was also politically motivated to benefit the newly formed state. In the opening session discussing the Election Ordinance on October 28, 1948, most members of the Provisional State Council wanted to extend voting rights to Jewish fighters who had been deported from Palestine by the British Mandate and detained in Cyprus. They believed that excluding these fighters would send a negative signal to the public, especially during wartime. However, the Provisional Government persuaded the Provisional State Council members to reconsider. The Minister of Interior, Izaak Grünbaum, was sympathetic to the calls to extend the right to vote Cyprus detainees but was wary that a break in the territorial boundaries would attract unnecessary complications and accuse the newly established state of discrimination between Jewish and Arab citizens of Mandate Palestine. In his support, the Minister of Transportation, David Remez, argued: “[A]s long as we are bounded by the territorial limits, and a state is a territorial entity, we are standing on a firm ground upholding our right here” (PSC Protocol, October 18, 1948, 22). The decision to adhere to the territorial limits was a settler colonial strategy of elimination that aimed to exclude Palestinian refugees and strip them of their right to Palestine, sacrificing the few for the benefit of the collective. It exemplifies how already at the early days of the state, the Zionist settler colonial project appropriated legal norms and the principle of non-discrimination to advance the elimination of the native Palestinians (see Forman and Kidar 2004). Ben Gurion clearly articulated this to the Provisional State Council, stating that the international community might question why voting rights were granted to thousands in Cyprus but not to hundreds of thousands of Palestinian refugees. He argued that while everyone desired participation from Jewish prisoners and soldiers abroad, the state’s interests outweighed personal sentiments. To legitimise the first national election and ensure its integrity, the process needed to be beyond reproach. This stance underscored Israel’s more profound commitment to excluding Palestinian refugees despite its stated goal of equal voting rights.

In November 1948, the Provisional Government decided to conduct a population census. This census would count the residents of the country and provide identity cards for election purposes. The 1948 Palestinian population was keen to register to be counted as ‘present’ rather than be labelled as ‘infiltrators’- a

term for Palestinian refugees attempting to return home. The census showed a significantly lower number of Palestinians than estimated, constituting another strategy of elimination to legitimate the exclusion of the Palestinians (Leibler and Breslau 2005). The 1948 Palestinians received identity cards and temporary residency permits, not as a goodwill gesture but to control and restrict refugee returns, safeguarding the Jewish state. These documents categorised Palestinians as 'present' rather than 'infiltrators,' a term for returning refugees. This approach was a governance tool advancing the Zionist project's objective, identifying returnees for imprisonment or expulsion and managing 1948 Palestinians under colonial governance principles.

The identity cards also allowed 1948 Palestinians realise their passive and active right to suffrage, to which they showed up in their masses during election day with over 90 per cent participation despite reiterated calls for boycott from leadership in the diaspora. Nonetheless, neither the identity cards nor the residence permit secured the 1948 Palestinian legal right in the country, which the state continued actively seeking their expulsion. These state actions were legitimised by the Supreme Court, which ruled that identity cards and registration did not guarantee citizenship or prevent deportation, making the census a governance exercise and the extension of suffrage a settler colonial strategy of elimination (Jabareen 2014). This provisional status organised Palestinian daily life around the constant threat of expulsion, shaping their early relationship with the regime. This precarious status was exploited by the military, which often withheld the distribution of identity cards to coerce Palestinians into selling land, acting as informants, and supporting the ruling party during elections. This dynamic established a robust surveillance and control mechanism that influenced Palestinian society for years (Lustick 1980).

Between loss of sovereignty and *sumud*

Two main political parties with Palestinian representations participated in the first elections, the Communist Party (Maki) and the Democratic List of Nazareth. The Democratic List was established as a satellite party supported by Mapai, the dominant labour party led by David Ben-Gurion. Mapai's strategy was to manage 1948 Palestinian participation in Israeli politics through controlled and aligned parties to ensure a degree of representation while maintaining influence over the electorate. In the first Knesset elections held in 1949, the Democratic List of Nazareth won 1.7 per cent of the vote and secured two seats occupied by Amin-Salim Jarjora and Seif el-Din el-Zoubi. The Communist Party received 3.5 per cent of the vote, securing four seats in the Knesset with two representatives of the 1948 Palestinians; Tawfik Toubi and Emil Habibi. The 1948 Palestinian participation in the election and parliament would contribute to legitimating the de facto borders of the new state, which was accepted as a full member by the

security council two months after the elections recognising Zionist sovereignty over the administered territories, representing Palestinian loss of sovereignty. The participation in the elections represents a moment where 1948 Palestinians accepted their subordination to the Zionist regime, a “Hobbesian moment” in Jabareen’s words (2014, 193) that coined the colonial contract between the 1948 Palestinians and the Jewish state based on subjugation and subordination. It is the moment where they have transformed into a minority, a moment that also represents the inception of 1948 Palestinians’ claims for rights in the Jewish State.

The discourse of rights became instrumental for the 1948 Palestinians both in their Parliamentary work and in combating the state’s discriminatory policies – as much as possible. Using the rights discourse became a strategy of *sumud* (steadfastness) and instrumental to their existence in the Jewish state. The use of rights discourse allowed the 1948 Palestinians to challenge some of the discriminatory practices and achieve certain rights. Nonetheless, these claims for rights continue to be conditioned by the settler colonial framework which sets their limits and scope of application. This conditions the 1948 Palestinian political rights to accept the conditions of the settler colonial regime, undermining their ability to challenge the settler colonial foundation of the state and their quest towards justice. In such circumstances, as Richard Falk and Virginia Tilly argue, “when a racial group is legally banned from challenging laws that perpetuate inequality, voting rights lose their significance in terms of equal rights. Such rights might allow slaves to achieve some cosmetic reforms, such as improved living conditions and protection from vigilante violence, but their status and vulnerability [...] would remain” (Falk and Tilly 2017, 33). This has been the case with Palestinian participation in the Knesset, whose main achievement centred around advancing certain social rights and lobbying for additional budgets for the development of the 1948 Palestinian towns and villages and incentivise employment and economic development but without the ability to challenge the structure behind their marginalisation and underdevelopment. Notwithstanding that, these government developmental programmes often operate as a form of colonial governmentality framed within the prism of security and control and largely not implemented in full (Sa’di 2016). This can also be seen in the latest development with the inclusion of the Islamic movement in the Bennett-Lapid Coalition in 2021. Their inclusion in this short-lived coalition represents colonial policies of divide and rule, which created a division between ‘good Arabs’ – the Islamist movement, and ‘bad Arabs’ – represented by all other 1948 Palestinian political parties in the Knesset. With their inclusion, the Islamist party, represented by Mansour Abbas, did not only recognise the settler colonial order, which was established with the 1948 Palestinians’ acceptance to participate in the first elections, but it also gave up the possibility to challenge that order, even symbolically. This highlights the precarious condition of the Palestinians in the settler colonial Jewish state and the vulnerability of the principles of democracy, equality and citizenship rights in such a colonial order.

Since the first elections, the ability of the 1948 Palestinian members of the Knesset to challenge the colonial structure remains limited and symbolic. Moreover, the state actively seeks to criminalise their activism and struggle for a state for all its citizens, which is often used to justify their disqualification from the elections by the Knesset Committee under the pretext that such a quest undermines the nature of the state of Israel as a Jewish and democratic state as coined in amendment 7a of the Basic Law: the Knesset (Saïd 2020). This Basic Law prohibits political parties that negate the existence of the State of Israel as a Jewish and democratic state, are accused of incitement to racism, or support armed struggle by a hostile state or a terrorist organisation against the state of Israel. Time and time again, as a ritual, 1948 Palestinian members of the Knesset appear in front of the Supreme Court of Justice and deny such 'allegation,' symbolically renewing their subordination to the state's Zionist values in order to be able to participate in the election. At the same time, racist colonialist political parties such as Otzma Yehudit or Yisrael Beiteinu, which openly call for the transfer of Palestinians, not to mention the vilified discourse against 1948 Palestinians by mainstream political parties, are not challenged demonstrating the colonial structure of the state. On certain occasions, the state did not hesitate to use violence or threatened with the use of violence against any efforts that may undermine the colonial structure. This was seen during the events of October 2000 when 1948 Palestinians protested the killing and oppression in Jerusalem and the rest of the 1967 occupied territory after Ariel Sharon – at the time, the leader of the Likud party in the Knesset – entered the area around al-Aqsa Mosque. It was also manifested in the threat of violence after the 1948 Palestinians published their Future Vision to a state of all its citizens. The passage of the Basic Law: Israel, the Nation-State of the Jewish People in 2018 constitutes another episode of a colonial history whereby the state uses the law to reinforce the colonial structure, dispossess and subordinate the Palestinians, stripping them of their right to self-determination in any part of historic Palestine. The nation-state law does not represent a transformative moment, as many scholars argued; it rather reflects a continuous process that stems from the Zionist colonial ideology in historic Palestine. Instead of transforming Israel into an undemocratic apartheid state, the nation-state law rather makes sure that the State of Israel cannot be easily transformed into a state of all its citizens (Saïd 2020). The nationality law came to strengthen and reinforce the colonial contract manifested in Palestinians' loss of sovereignty coined with the extension of suffrage rights to the 1948 Palestinians and their voluntary acceptance to participate in the elections. Critically unpacking these colonial histories and structures of power is a first step towards decolonising Palestine Israel. It demonstrates that a transformative change will not come from an increased representation, but rather from envisaging new forms of politics, social relations and economies that destabilise the colonial structures and give birth to new realities.

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Section Two

Hydropolitics and Environmental Policies

Chapter Six

The Fluid Spatial Dimensions of Israel's Settler Colonisation of Palestine: Hydropolitics in Wādī Fūkīn

Anita De Donato

The chapter focuses on the spatial dimensions of the power dialectics that develop around water management and use in the Wādī Fūkīn Palestinian village (West Bank). The material and symbolic fluidity of water allows me to shed light on the nature of Israel's separation policy and of the creation of the Palestinian Authority (PA), and to critically discuss the viability of the construction of a Palestinian nation-state. Palestinians' perceptions of the territory and of the PA are understood in the context of the PA's unfair water policies and of the practices contesting them by using strategically Israel's spatial fragmentation of the territory. The representations and practices of space and borders deployed by Palestinian and Israeli distant neighbours around shared water flows show the role of private actors in the functioning and readjustment of Israel's mechanisms of control, and in Palestinians' struggles for the access and use of space and of vital resources such as water, highlighting the problematic character of a dichotomous and linear view of the domination and resistance dynamics between Palestinians and Israelis.



No Man's Land. A collage of images taken from the surface of Lake Victoria Park in London.

2015 | Lightjet prints mounted on matt diasec, 199 x 199 cm. In the collection of The Palestinian Museum in Birzeit.

Source: **Steve Sabella**, <https://stevesabella.space/pages/no-mans-land>

Introduction

In this chapter, I analyse the spatial, political, and sociocultural dimensions of the policies, practices, and representations that develop around water management and use in the rural village of Wādī Fūkīn, situated in the West Bank and bordered by the Green Line. The material and symbolic fluidity of water allows me to go beyond a territorial approach in the study of the Israeli-Palestinian reality, in order to show the problematic character of understanding the Palestinian Authority's (PA) creation as part of a peacebuilding process in the context of a conflict between two territorial entities. In the first section I analyse the spatial and socioecological implications of Israel's urban development and water policies around the village of Wādī Fūkīn, and resulting Palestinian perceptions of the village, of the territory, and of Israel's occupation. These dynamics shed light on the evolution of Israel's mechanisms of control over Palestinians in the framework of the Zionist project of settler colonisation of Palestine. This allows me to reveal the nature of Israel's separation policy, institutionalised with the Oslo Accords—and the postmodern forms of territoriality and sovereignty on which it is grounded. The Zionist project of constructing an Israeli Jewish nation-state is grounded on the strict connection between a territorial national sovereignty and an exclusive Jewish identity, according to a modern conception of the territory as a contiguous entity limited by fixed and stable territorial borders. Nevertheless, Israel's separation policy does not allow the creation of Palestinian and Israeli territorial and mutually exclusive sovereignties. Israel's strategies of spatial organization and control of resources and people convey a conception of territory as a fluid space disconnected from local populations, continuously shaped and fragmented in multiple spaces of confinement and mobility by means of administrative, security and architectural policies that establish a differential access to space for Palestinian and Israeli populations, through the creation of moveable material and symbolic borders. State's sovereignty is not defined by stable territorial boundaries, and authority is dispersed to multiple public and private actors at different levels. The resulting territory fragmentation in multiple, ethnically and politically alienated national islands brings me to critically discuss the present viability of the construction of an independent and sovereign Palestinian nation-state.

In the second section, analysis of the constrained spatial dimensions of the PA's water policies, infrastructures, and power highlight the strategic, illusory character of the PA's project to construct a Palestinian nation-state—revealing the role of the PA, and of international donors and development actors, in the reconfiguration and long-lasting maintenance of Israel's colonial occupation. The third section focuses on the spatial dimension of the hierarchies and structures of inclusion and exclusion created by the PA's water policies, as well as of villagers' practices contesting and opposing them. I show how Palestinians strategically use Israel's spatial fragmentation of the territory, and its

administrative and legal constraints limiting the PA's control, to create spaces of manoeuvre to survive and pursue their personal interests, eluding and resisting the PA's oppression. In this framework, I consider their perceptions and ideas about the PA and its future prospects.

In the last section, the dynamics of forced water sharing by entangled and interdependent Palestinian and Israeli socioecological spaces and networks shed light on the conflicts, tensions, and sociopolitical differentiations characterising both Israeli and Palestinian heterogeneous societies, and on the problematic character of a dichotomous and linear view of the domination and resistance dynamics between them. I explore the multiple representations, practices, and uses of space and borders deployed by different Palestinian and Israeli interest groups, whose encounter results in contradictory and paradoxical dynamics that strengthen or undermine the physical, cultural, and political boundaries created by Israel's cultural and spatial categorisations and reifications. I thus highlight how Palestinian and Israeli private actors contribute to the functioning and readjustment of Israel's mechanisms of control, according to the postmodern forms of governmentality and sovereignty that characterise Israel's colonial regime. These processes show that, in the context of the spatial segregation of Palestinians in a territory entirely controlled by Israel, the Palestinian national struggle for territorial rights today is fragmented into daily micro-struggles for access and use of space and vital resources, such as water.

Picture 1: The Palestinian village of Wādī Fūkīn



Source: **author**, 2016

Fragmented water flows and spaces of colonial segregation

Wādī Fūkīn is a small rural village of about a thousand inhabitants that lies in a narrow valley encircled by hills, in the south-west area of Bethlehem. Before the 1948 creation of Israel, local livelihoods were based on family subsistence agriculture combined with herding activities. The centrality of agriculture was fostered by the presence of numerous springs, whose water was used both for domestic purposes and to irrigate farmland via a network of gravity channels through community management practices. During the 1948 Arab-Israeli war and after the Armistice Agreement, the land in this village was contested by the Israeli army and the Jordanian one. The village was subject to several attacks and raids by the Israeli army and the Zionist paramilitary group called Haganah. On 3 April 1949, the territorial provisions of the Armistice Agreement decided that the western hills of Wādī Fūkīn would be incorporated into the Israeli state, to the west of the Green Line—while the rest of land in the village, including its built-up area, remained under the administration of the Jordanian authorities controlling the West Bank at that time. This entailed the loss of about three-quarters of the village's land (about 9,000 dunums of 12,000 dunums).

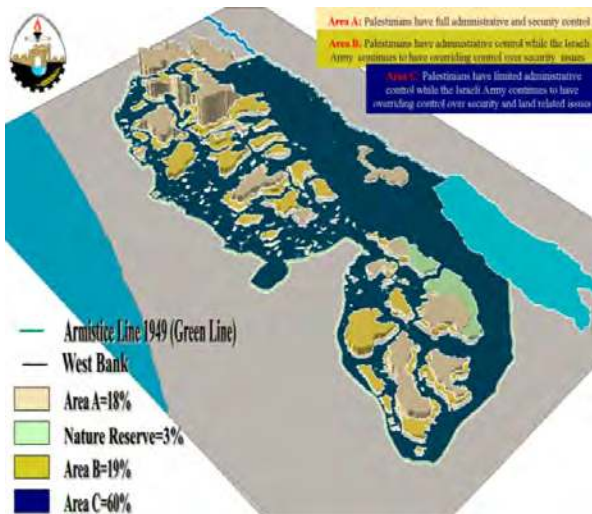
The Israel Defense Forces violated these agreements, since they evacuated the Palestinian community in the village many times, taking control of the area to the east of the Green Line. Colonel Garrison B. Coverdale, the United Nations (UN) Chairman of the Israel–Jordan Mixed Armistice Commission, pressed for a solution to this issue. In 1949, Israel agreed to give back Wādī Fūkīn to the Jordanian authorities that, in turn, agreed to transfer some fertile land south of Bethlehem to Israel, thus making an adjustment in the Green Line (World Heritage Encyclopedia; Morris 2004). However, Israel also did not respect this decision, given that in 1956 the Israeli army again displaced the inhabitants of Wādī Fūkīn and demolished the village for security reasons. Most of villagers went to live in the refugee camp of ad-Dehīša, in the Bethlehem outskirts, while others moved to Jordan or other countries, with the consequent scattering of tribal groups and extended families. While living in the refugee camps, villagers continued to go to their land every day to farm it. In 1972, unlike most of Palestinian refugees, most of them succeeded in returning to live in the village and rebuilding their houses.

The reasons behind the Israeli army's authorisation of their return are not easy to ascertain, as they relate to changing, unpredictable, and contingent Israeli military strategies that are not always documented. According to villagers, they were able to return to live in the village thanks to the negotiations engaged in by the village's last muḥtār (the chosen one) with Israeli military authorities. Some of them think that the Israeli army's decision to allow their return was the outcome of negotiations with the UN, which was interested in

making space in the Ad-Dehīsa refugee camp for the arrival of many Palestinian refugees from the Gaza Strip. Nevertheless, their return did not imply the end of Israeli repression. Since the late 1980s the Israeli army continues to confiscate other lands to develop the Israeli Beitar Illit urban settlement (in the West Bank) and the town of Tzur Hadassah (in Israel), built on the top of the hills encircling the village. Land expropriation is authorised by restoring Ottoman and British land legislation that fosters a private property regime. Israel does not recognise oral knowledge about families' historical land ownership and declares land without private title left uncultivated for at least three consecutive years to be state land (*arḍ dawla*), and thus liable to be expropriated.

The 1993 Oslo Accords established the Palestinian Authority and institutionalised the unilateral separation policy between Palestinians and Israelis, a process fostered by Israel following the First Intifada and intensified with the Second Intifada (Latte Abdallah and Parizot 2017, 2015). However, the establishment of the PA has not ensured Palestinians' land and water rights. As shown in Picture 2, the Oslo Accords has resulted in the division of the West Bank into noncontiguous administrative areas comprised of A areas (under the PA's administration and security control), B areas (under the PA's administration in civilian affairs, but under the Israeli army's security control), and C areas, which are under the PA's administration in civilian affairs (except educational and health services) and under the security control of the Israeli Civil Administration (ICA)—a military institution under the Israeli Ministry of Defence.

Picture 2: A, B, C areas in the West Bank



Source: **ARIJ** 2017

By imposing these administrative conditions, Israel keeps direct control over most West Bank land rich in natural resources, such as agricultural lands, forests, springs, and wells, which are included in C areas close to Israeli settlements (whose expansion targets them).¹

According to the Oslo Accords, the built-up area of the village of Wādī Fūkīn is defined as a B area, while the farmlands are in a C area; i.e., an area where the Israeli army does not authorise land registration by the Palestinian Land Authority and establishes discriminatory administrative conditions that favour farmland expropriation for the purpose of developing the Israeli settlements, such as the military ban on any construction work. This ban hinders the improvement of agriculture, fostering its abandonment, and limits the expansion of the built-up area of the village to the B area, seeking to entice the new generations to move from the village. Day by day, new buildings are built in the Israeli settlements, increasingly close to the houses in the village. Villagers can hear the voices of children playing in small playgrounds built in the Israeli Beitar Illit settlement. They see with their own eyes settlers moving by foot or by car, and ironically call them 'ġīrān' (neighbours). Indeed, despite the great closeness of the Israeli settlements bordering the village, villagers perceive them as distant, strange areas inhabited by 'the Other'. This sense of distance is created morphologically through the strategic building of Israeli settlements at a higher altitude than Palestinian villages and towns, as well as by security policies and physical borders made of security fences, walls, and checkpoints controlled by Israeli guards, which limit Palestinian access to these Israeli settlements.

Today, the village is almost completely encircled by the Israeli settlement of Beitar Illit (to the north-east) and by that of Tzur Hadassah (to the west), which is expanding to the east of the Green Line. Along the only entrance road in the village, included in a C area, Israeli soldiers or policemen often organise a temporary checkpoint, controlling and hindering Palestinian mobility. The Israeli army always has the authority to close this road, as it did during the Second Intifada, when it forbade villagers to move from and to the village and imposed a curfew. The space of the village thus looks like a Palestinian enclave separated from the other Palestinian villages that once bordered it by these inaccessible Israeli areas. This has entailed the restriction of villagers' mobility and loss of access to many pastures and water resources, with the consequent gradual abandonment of herding activities and villagers' almost complete sedentarisation (De Donato 2019a). Differently, Israeli road 375 connects the Beitar Illit settlement to Highway 60, a military bypass road under Israeli jurisdiction that Palestinians call an-nafaq (the tunnel) because it connects the Israeli settlements in the south-west area of Bethlehem to Jerusalem, passing underneath the Palestinian town of Beit Ġālā through a tunnel. Before reaching Jerusalem, an Israeli military checkpoint controls and hinders the mobility of

¹ Israel has control of 87 percent of the West Bank's nature reserves, 90 percent of its forests, 48 percent of its wells, and 37 percent of its springs, which are all included in C areas (ARIJ September 2015).

Palestinians, who can only pass with an entry permit issued by the military authorities. The Israeli settlements in this area are also connected to Israel by a water network that the Israeli national water company, called Mekorot, built in the late 1980s in order to supply potable, underground water to Israeli settlers occupying Palestinian lands.

Picture 3: The area of Wādī Fūkīn



Source: **author's map**, 2018.

This situation highlights the fact that, despite Israel emphasising since the Oslo Accords the realisation of a separation between the Israeli state and the Palestinian territories (embodied in particular by the wall that Israel has been building since 2002), its separation policy does not lead to a territorial separation between Palestinians and Israelis. Since the Oslo Accords, the Israeli army has increased its control over Palestinian mobility and access to territory and resources, such as water, by means of territorial division into different and non-contiguous administrative areas (Israel and A, B, C areas); the multiplication of military checkpoints, watchtowers, and fences; the building of settlements and of the segregation wall; and the politics of entry permits, as well as by means of water techno-politics (Mitchell 2002). These strategies have

fragmented the West Bank into a layered and overlapping series of ethnically and politically alienated national islands. They have created multiple segregated Palestinian enclaves separated from each other by Israeli areas.

While before the Second Intifada (and in particular, before the Oslo Accords) Palestinians moved more freely between the West Bank, Jerusalem, and Israel, today most Palestinians living to the east of the Green Line perceive themselves to be confined in multiple “islands of water experience”, or multiple spaces of segregation disconnected from each other and characterised by different conditions of water access and experiences of deprivation within a territory entirely occupied by Israel, where the Green Line is only one of the many administrative borders fragmenting it. Palestinians have different possibilities to cross the material, administrative, and symbolic borders created by Israel, and have varied access to space, water, or work, depending on their nationality, ethnic and religious belonging, socioeconomic class, place of dwelling, and criminal record (De Donato 2013). This results in multiple ideas about ecological reality, about Israel and the Palestinian country itself and contributes to shaping the image of the self and the ‘other’, multiplying local processes of differentiation and leading to growing disaffection and alienation among Palestinians, as well as to their estrangement from their own territory and landscape.

Meanwhile, Israel, Jerusalem, and the Israeli settlements in the Palestinian territories are connected to each other by building water infrastructure and bypass roads with bridges and tunnels that bypass the areas inhabited by Palestinians, allowing Israelis to move without coming within view of them and thus reducing interactions between Israelis and Palestinians and ensuring Israeli security. These architectural strategies create a spatial (and not territorial) continuity between the spaces inhabited by Israelis, normalising their movements within the West Bank. Israelis can cross the Green Line and freely move in the entire historical Palestinian territory as if it was a single country without borders. Israeli urban development thus disconnects and fragments the Palestinian territories not only in their horizontal dimension, but also along their vertical dimension, according to a “politics of verticality” (Weizman 2003, 2007) grounded on a new imagination of the territory as a three-dimensional volume. Israel controls and dominates Palestinians through the appropriation of the airspace with helicopters, airplanes, and drones granted the exclusive right to fly. Similarly, the appropriation of most underground aquifers (Dombrowsky 1998; Kirshbaum 2007) and the expansion of Israeli water systems in the Palestinian territories consist of a strategy of “territorialisation” (Trottier 2000:38) that establishes Israel’s subterranean sovereignty and creates a hidden, unbalanced interdependence between Israelis and Palestinians that allows Israel to keep its economic and political hegemony. Israel’s urban development and water techno-politics (Mitchell 2002) thus hinder the possibility of formal territorial coherence and make impossible the definition of a continuous border

between the Palestinian territories and Israel and the creation of a sovereign Palestinian nation-state.

Israel's discriminatory planning policies create an unequal spatial distribution of the environmental costs and risks of the unsustainable and 'compulsive' Israeli urban development in a shared territory and environment. They thus create discrete Palestinian spaces of socioecological vulnerability, water scarcity, precariousness, physical, health, and economic insecurity, such as Wādī Fūkīn. In this village (and in the context of population growth over generations), the development of Israeli urban settlements has led to land scarcity and fragmentation, which entail increased conflict between brothers and cousins for access to land.

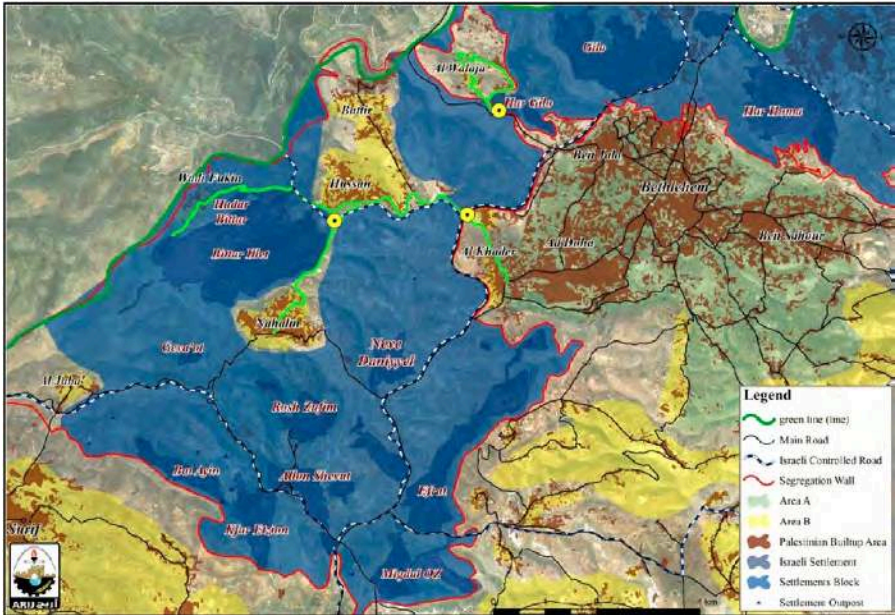
Moreover, the expansion of impermeable paved land for the development of the Israeli town of Tzur Hadassah has led to a decrease in winter rainwater infiltration, reducing its flow to the aquifer feeding the springs in the village and thus weakening them. Two of these springs dried up completely (Haviv and Asaf 2005). The winter rainwater that is not absorbed by the soil flows down to the village, damaging farmlands, roads, and houses. The Israeli army bans the construction of a network of channels and harvesting cisterns to collect rainwater to use in irrigation and in order to prevent floods. Israeli urban development thus hinders the "hydro-social cycle" (Linton 2010) on which families' livelihoods in the local semi-arid environment are historically grounded, amplifying the conditions of irrigation water stress—which are also affected by global climate change and the connected increasing droughts in the whole Middle East. Moreover, the sewage treatment facilities in Beitar Illit settlement cannot treat the amount of wastewater produced by settlers, locally called *mayyat maḡārī bītār 'īlīt* (the water of the sewer of Beitar Illit). Therefore, for about twelve years now, the untreated wastewater overflows and is poured out into the farmlands in Wādī Fūkīn, causing groundwater and soil contamination and related health risks (Fortunato 2012). As ascertained by the Water and Environmental Development Organisation (WEDO) and the Applied Research Institute of Jerusalem (ARIJ) (Muamer et al. 2014; ARIJ 2010), this has entailed spring-water pollution, which most villagers consider undrinkable and for use only in agriculture.

These socioecological processes threaten the resilience of commercial family farming in the village, which has become increasingly unprofitable due to the adoption of intensive farming techniques and to the overexploitation and growing infertility of land, in the context of harsh competition with Israeli-subsidised, high-tech, intensive agriculture (De Donato 2019b). In the framework of life commoditisation, of the spread of urban lifestyles and growing economic competition, farming cannot satisfy increasingly expensive family needs and aspirations. Most households are compelled to diversify their sources of livelihood, combining farming activities with waged employment.

Due to the high rate of unemployment in the West Bank, most Palestinian men temporary work in the Israeli building sector both legally and illegally—an activity more profitable than agriculture despite the discrimination against Palestinians as low-paid workers. Especially by working in the Israeli building sector, they contribute to building settlements on the same lands expropriated from their families. Labour market integration has increased socioeconomic competition and segmentation, which overlaps with hierarchies grounded on land ownership.

These radical ecological, economic, and political changes have led to the increasing abandonment of agriculture, carrying the risk of expropriation of all farmlands in the village, which might eventually become a proletarian suburb of Palestinian low-paid workers for Israel. Village life is characterised by a strong feeling of precariousness and uncertainty about the future of the village, which might even disappear yet another time, again threatening villagers with becoming refugees—that is an even more precarious and marginalised status. On 30 August 2014, the ICA announced the expropriation of 3,799 dunums (988 acres) of land in Bethlehem and Hebron Governorate, belonging to the Palestinian villages of Wādī Fūkīn (1,155 dunums), al-Ġāb'a, Naḥḥālīn, and Šūrīf. This is the biggest land confiscation since 1967, officially justified by Israel as a response to the kidnapping and murder of three Israeli Jewish boys (Eyal Yifrah, Naftali Fraenkel, and Gilad Shaar) by Hamas militants in June 2014. However, as declared by the officials in the bureau of the Prime Minister Benjamin Netanyahu, this confiscation was actually considered a merely technical procedure (Ravid 2014) that had been previously planned to pave the way for the expansion of Gva'ot—an Israeli settlement south-east of Wādī Fūkīn established in 1984 as a military base (Beaumont 2014; Ravid 2014) and included in the settlement block of Gush Etzion (in the south-west area of Bethlehem). According to the official expansion plans of this block of settlements, Israel aims at unifying and annexing them by expropriating all Palestinians land in the south-west area of Bethlehem, which is the biggest agricultural area and the main source of food and other resources for the Bethlehem Governorate. Furthermore, the planned expansion of this settlement block is part of the Greater Jerusalem Plan, which concerns the expansion and annexation to Jerusalem city of the three major settlement blocks surrounding it: the Gush Etzion block in the Bethlehem and Hebron Governorates, the Ma'ale Adumim block in East Jerusalem, and the Giv'at Zeev block north-west of Jerusalem city.

Picture 4: The "Greater Jerusalem Plan"



Source: **ARIJ**, 2016.

Besides the territory, Israel's discriminatory architectural, security, administrative, and water policies fragment and compromise the socioecological networks on which Palestinian agricultural activities are historically grounded—threatening their resilience and thus hindering the material and sociocultural reproduction of rural Palestinian communities, such as that one in Wādī Fūkīn. By means of the “de-peasantisation” (Heather 2004; Van der Ploeg 2009) of Palestinians Israel seeks to coerce them to move to Palestinian urban areas, including A areas and some B areas, and to expropriate the lands most rich in natural resources in order to develop Israeli settlements and commercial activities for Jewish people—thus ensuring Jewish settlers’ permanent land appropriation in the West Bank as a “fact on the ground” (Temper 2009). This allows Israel to segregate Palestinians in small urban spaces and to increase their water and food insecurity, their subordination (De Donato 2019b), and, thus, their dependence on the Israeli market, infrastructure, and services for access to water, food, and other basic goods—turning Palestinian society into a consumer one and into one of the largest markets for the Israeli economy (Kurzom 2001).

The case of Wādī Fūkīn highlights the colonial domination strategies on which the Zionist project of creation of an Israeli Jewish nation-state in 1948, and its expansion in the Palestinian territories since their occupation in 1967,

are grounded. These consist in the realisation of a settler colonialism aimed at appropriating Palestinian lands and at eliminating and replacing the Palestinian population with the Jewish colonial one, through practices of ethnic cleansing and large-scale displacement. The traces and memory of these processes are removed by means of an “environmental colonisation” of Palestine, grounded on the control of most water resources: a radical transformation and reinvention of the territory as a territory that is historically and “authentically” Israeli (and Jewish), by means of radical landscape planning, urban sprawl, and the development of intensive, high-tech, irrigated agriculture providing food and legitimacy to the growing Israeli population, which are unsustainable in the local arid and semi-arid environment (Van Aken 2012, 2015). In order to achieve these goals, Israel has adopted policies fostering the subordinate integration of remaining Palestinians in the Israeli economy and labour market, while either excluding them from the political community of Israeli citizens or including them in a subordinate position (in the case of Palestinians living within Israel).

The Oslo Accords have entailed a reconfiguration of Israel's occupation regime, which has been strengthened behind an illusory negotiated decolonisation of the Palestinian territories. Despite Israel's emphasis on a territorial separation between Israelis and Palestinians, according to the studies of Latte Abdallah and Parizot (2017; 2015), its separation policy actually consists of a control and domination strategy targeting the Palestinian population in a territory that remains entirely under Israeli control (from the Mediterranean to the Jordan River). It is a strategy for risk management aimed at ensuring the security and mobility of Israelis in the whole territory, by confining and excluding Palestinians, who are viewed as dangerous enemies, and by controlling their movements and reducing their direct interactions with Israelis. This by means of the multiplication and continuous redefinition of physical, administrative, and symbolic borders in a context of close proximity and of increasing interpenetration and entanglement of the living spaces of these two populations. These post-modern forms of governmentality are grounded on a model of territoriality that also characterises the systems of control and risk management implemented in European countries in order to regulate the movements of people and commodities in the present neoliberal globalisation period. These systems consist in the establishment of a differential access to the territory and to mobility for different populations, thus creating forms of confinement and unequal spaces of movement on which hierarchies and social stratifications are grounded. Israel's creation and mobilisation of the false image of a territorial separation between two sovereign nation-states (according to modern ideas of state and territory) allow it to keep control over the entire territory and its resources, integrating Palestinians living in the occupied territories into the lower rungs of the Israeli economy without granting them access to citizenship. In this way, Israel maintains the appearance of a Jewish demographic majority within the Israeli state and continues to pursue its Zionist colonial project of constructing a Jewish State extending across the whole historical Palestinian territory.

The illusory independence of the Palestinian Authority's water infrastructure, spaces and power

Before Israel's creation and displacement of the community in the village, the water to drink and for domestic purposes was drawn by women from a spring situated near the built-up area of the village, according to a communal management and property regime. In the late 1980s, after Palestinian families returned to live in the village, Mekorot built the first water system supplying purified, underground water to Wādī Fūkīn and to the neighbouring villages of Naḥḥālīn, Hūsān, and Battīr, connecting them to the water system supplying the Beitar Illit settlement, which was under construction. Villagers began to benefit from a continuous drinking water supply delivered by Mekorot while it was supplying this Israeli settlement, whose inhabitants never suffer from a lack of water. However, they also began to pay water bills to the Israeli water agency, charged according to the consumption of every dwelling measured by individual water meters. The water system delivering water directly to the houses through individualised water taps entailed the individualisation of water access and the demise of public spaces and patterns of cooperation that historically characterised women's management of the spring water used for domestic purposes. Together with the adoption of intensive farming techniques among Palestinians (De Donato 2019a), this led to the spread of a Western dichotomous view of private and public spaces, to a greater segregation of women inside the home, and, therefore, to a change in their social role (Van Aken and De Donato 2018), according to a colonial, modern construction of gender that reproduces patriarchal control over collective authority and over the means of production, including knowledge production, by means of the banning and seclusion of women from these spheres of social life (Lugones 2016)

Moreover, the new water system introduced a new kind of water, the purified and "artificial" drinking water, locally called *mawayyat baladiyya* (municipal water), a commodity whose access depends on each household's economic possibilities and is regulated by the bureaucracies, normative systems, technological devices, and hydraulic expertise of the state of Israel. For villagers, the building of this water infrastructure meant the loss of autonomy in the satisfaction of their daily needs. By means of this strategy of "hydro-territorial governmentalisation" (Boelens et al. 2016), Israel reshaped local hydro-social networks and territories and integrated them in Israeli power structures and national economy, while relegating them to a condition of material and symbolic dependence. These water policies mirror the strategies of risk management and control adopted by Israel between its 1967 occupation of the West Bank and Gaza Strip and the end of the First Intifada, when Palestinians' subordinated integration in the Israeli labour market and their controlled access to

basic services and resources (without granting them Israeli citizenship) were aimed at reducing the risks of rebellions, while their suppression was used as a punishment measure to discourage resistance activities.

In the framework of the complicated and slow implementation of the political and administrative arrangements decided by the 1993 Oslo II Agreement—and since the PA's creation in 1994—the operation and maintenance of the water system supplying the built-up area in Wādī Fūkīn (defined as a B area), as well as in the three neighbouring villages, were placed under the administration of the West Bank Water Department (WBWD). In contrast, water supply and the management of the water network connecting these villages and the Israeli settlements in the area continued to be prerogatives of the Israeli national water company. However, villagers' payment of potable water to Mekorot began to be mediated by the PA. The local PA institution of the Village Council is responsible for villagers' payment of water bills and gives the money it collected to the WBWD, which in turn gives it to the Palestine Water Authority (PWA). The PA has the ultimate responsibility to pay Mekorot for the total amount of water delivered to Wādī Fūkīn and to the neighbouring Palestinian villages.

In 2015, the PWA built a new water network (*šabaket al-miāh*) supplying potable water to the four Palestinian villages of Wādī Fūkīn, Naḥḥālīn, Ḥūsān, and Battīr, thanks to the World Bank and United States Agency for International Development (USAID) funding.² For the PA, this new water network symbolises a success in the national struggle for self-determination and an important step toward water centralisation. The latter is viewed as a key part of Palestinian state-building, according to the Western model of state and sustained mainly by Western donor funding. It meets the supply management paradigm dominating donors' approaches to water problems until the 1980s (Brooks 2008). In the framework of the competition with local customary institutions for social control of water management, the PA appropriates this paradigm and represents water centralisation as the only guarantee of equitable and efficient water management among Palestinians (Trottier 1999; 2013)—especially in the context of increasing conditions of water scarcity produced by Israel, which obstruct the Palestinian agricultural and industrial sectors, thus ensuring Palestinians' structural subordination to the Israeli economy (Hilal and Khan 2004). However, as highlighted by Kaika (2005) while addressing the political ecology of the urbanisation of nature in Western countries, the underground pipes of the water network remove water resources from public view and control, hiding the path of drinking water and masking the social and power relationships defining the amount, quality, and temporal distribution of water supply

² This water system has been planned in the framework of a development project addressing "Water Supply and Sanitation Improvements for West Bethlehem Villages." Building the PA's new water network connecting the four Palestinian villages to each other was sustained by USAID funding, while the new water system built in each village was funded by the World Bank, for a total amount of \$3,650,000 USD (State and Peace-building Fund 2012).

to the village, which depend on hydraulic expertise that is not accessible to most people, and on a distant centralised and bureaucratised administrative system constrained by complicated Israeli legal and administrative conditions. The hidden flows of drinking water reveal that the Palestinian water network is not independent, as claimed by the PA. Indeed, it is connected to the Israeli network supplying water to the Israeli settlements in that area, such as Beitar Illit. Therefore, water flowing in the new Palestinian network is delivered by Mekorot, which still retains ultimate control over the amount of water supplied to the Palestinian villages in the area. The Israeli national water company still has the power to cut off water supply to these villages, according to changeable repressive and administrative strategies.

Moreover, the PWA's water system plan and its implementation were subject to the World Bank's approval and to the Israeli authorities' ultimate permit, according to the 1995 Washington agreement.³ According to the 2012 proposal, the project was planned to be completed in 2014 (State and Peace-building Fund 2012). Building the water network only finished in 2017, however, hindered by Israeli institutions' obstructionism via legal devices and administrative constraints. For example, in the village of Naḥḥālīn, construction works were interrupted for three months, waiting the Israeli military authorities' permission to uproot two trees in order to broaden the street and put water pipes. Explaining to me these dynamics, the head of the Naḥḥālīn Village Council stressed the ironic character of this situation: in order to build the electricity infrastructure for the Israeli settlements encircling Naḥḥālīn, the Israeli army uprooted five thousand trees belonging to the village, further appropriating more Palestinian land. However, in the name of environmental protection, it hindered the uprooting of just two trees blocking the implementation of a PA project. A main objective of Israel's obstructionism was the building of two 1,000 m³ water reservoirs, locally called *ḥazzānāt* (cisterns), which were planned to be built in the villages of Battīr and Naḥḥālīn to improve water supply. As acknowledged in the project proposal (State and Peace-building Fund 2012), this was a very sensitive issue, since the two reservoirs were planned to be built within the C area of these villages. Therefore, their construction had to be approved by the Israeli Civil Administration, which refused to issue the permit. The reasons behind this decision were not technical but political. The building of Palestinian infrastructure on land within a C area would have been a (surmountable) obstacle to Israeli settlement expansion. Moreover, the reservoirs would have allowed the WBWD to have a greater, even if relative, autonomy in the management and distribution of potable water to the concerned Palestinian villages, within the framework of colonial constraints.

³ The 1995 Washington agreement set up a permanent Joint Water Committee dealing with all water and sewage issues in the West Bank. A Committee permit is necessary to engage in well drilling and to build and maintain any water and sewage infrastructure in the West Bank. Despite the Committee being made up of an equal number of Palestinians and Israelis, Israelis have veto rights allowing them to hinder water development in the Palestinian territories.

For example, it would have had the possibility to ration out water and to store it, in order to face possible water supply cut off by Mekorot. Given the complicated and obstructionist Israeli permit system, the connection of the public school and the health centre situated in the C area of the village to the new water network has mainly been built at night, to decrease the risk of the Israeli army's intervention.

Israel uses its administrative power over the entire territory to hinder the building and maintenance of water infrastructure and water centralisation by the PA, leaving most Palestinians without or with inadequate access to important facilities such as sewage networks, especially in rural areas. Unlike Palestinian towns included in A areas, such as Bethlehem, there is no sewage network in most Palestinian villages such as Wādī Fūkīn. As a means for wastewater disposal, housing units have underground private cesspits that must be emptied by privately managed sewage tankers at the expense of each family. Most cesspits are built without lining and wastewater is thus absorbed by the soil, or it is discharged in the streets or in other open areas by families who cannot afford the high cost of sewage tankers, causing environmental damages and the spread of epidemics and diseases (Muamer et al. 2014).⁴ The lack of Palestinian sewage networks and wastewater treatment facilities in Palestinian spaces,⁵ together with the inadequacy of sewage treatment facilities in the Israeli settlements,⁶ are main factors causing groundwater pollution and quality deterioration at the regional level, threatening drinking water supply in the whole West Bank (Bellissari 1994).

Given that Wādī Fūkīn is included in both a B and a C area, the PA's institutions have many difficulties in administering the space, infrastructure, and water supply in Wādī Fūkīn, in providing educational and health services, and in collecting taxes from villagers. Many basic services are provided by Palestinian and international non-governmental organisations (NGOs), which implemented many projects (especially in the C area) concerning the expansion of the public school, the building of two public playgrounds, agriculture modernisation, and interventions for the maintenance of springs (De Donato 2019b). In the Palestinian territories, humanitarian and development agencies

⁴ In 2019, some owners of sewage tankers began to offer the inhabitants of Wādī Fūkīn and of close Palestinian villages to dispose wastewater in the lower part of the Wādī Fūkīn valley at a lower price. Some families accepted it and the head of the Village Council of Wādī Fūkīn never intervened. This person, whose origins are not from Wādī Fūkīn, was one of the employees of the PA's Ministry of Local Government. That year, he was appointed as head of the Village Council because violent conflicts between the local families had hindered the choice of the person who had to hold this position.

⁵ In the West Bank in 2012, only ten towns were served by sewer systems, and only four of them had treatments plants, while none had a significant reuse scheme. About 69 percent of the West Bank population still relied on septic tanks. Given the lack of Palestinian wastewater treatment facilities, each year a total amount of 25 MCM of untreated sewage is disposed in 350 open areas and valleys officially used for this purpose (State and Peace-building Fund 2012).

⁶ In 2012, only 81 of 121 settlements in the West Bank were connected to facilities for sewage treatment and most of these were too small to treat the great amounts of wastewater produced by settlers (Fortunato 2012).

and NGOs often substitute the PA's role, acting and "seeing like a state" (Scott 1998). Donors exert considerable power over the PA, which depends on their funding for the building and maintaining of its infrastructure and institutions. PA members seek to co-opt and control these powerful social actors, who both collaborate and compete with them (Hanafi and Tabar 2005).

Besides hindering the PA's administrative prerogatives, Israel's administrative and legal constraints also limit its executive and judicial power, especially in B and C areas, where the Palestinian security forces can enter only for brief periods after obtaining an Israeli army permit at a District Coordination Office (DCO).⁷ This permit is difficultly issued, especially for C areas close to Israeli settlements, where it is denied for security reasons. Moreover, issuing this permit takes a long time, hindering timely interventions; for example, in case of feuds between Palestinian families. Furthermore, the PA cannot exert its judicial and executive power towards Israeli citizens who committed offences in the areas under its administration, including the '48 Palestinians—as Palestinians with Israeli citizenship are locally called— and the '67 Palestinians—who are Palestinians living in Jerusalem, occupied since 1967. Israeli citizens (including Jewish ones) frequently go to the Palestinian areas in the West Bank to access cheaper shops, services, higher education, and public places for meetings and entertainment (like discos and restaurants). However, they are considered to be under Israeli jurisdiction and cannot be prosecuted by the PA's judicial institutions and security forces, even if they acted illegally in the West Bank, enjoying a sort of "extraterritorial immunity" (Natsheh and Parizot 2015, 113). If these people are involved in legal problems, the Palestinian security forces have to bring them to the closest DCO and hand them over to the Israeli army or police. Israeli citizenship thus allows some people to flout the Palestinian law in order to pursue their personal interests, and then to escape west of the Green Line without suffering the consequences of their actions. These dynamics are an important source of instability and social disorder in Palestinian society, further destabilising the PA's ability and local legitimacy to control it.

In contrast, all Palestinians are subjected to Israeli judicial and executive power and to military legislation, made up of changing and unpredictable military orders (and their discretionary implementation) concerning every life dimension. Besides having permanent security control in B and C areas, the Israeli army can even enter A areas without limitations. In these cases, an Israeli DCO communicates the Israeli army's intentions to the Palestinian security forces, which have to retreat to their barracks to not hinder Israeli soldiers' raids and repression of the Palestinian population. Therefore, the PA claims its authority over local Palestinians, but cannot ensure their security, and their civil and political rights. The community of Wādī Fūkīn stands alone facing

⁷ The DCOs (District Coordination Offices) are the Israeli-Palestinian military coordination offices established in the framework of the 1994 Gaza-Jericho Agreement between Israel and the Palestinian Authority.

the aggression of Israeli soldiers, who sometimes enter the farmlands in the C area in order to hinder farming activities, to uproot hundreds of olive trees, or to protect Israeli settlers who deliberately swim in the local tanks for irrigation water collection, damaging the irrigation network.

Like tentacles moving in the threatening sea of Israeli colonisation, the PA's power and prerogatives stretch and pull back continuously and unevenly in the spaces of segregation of Palestinians. The PA's administrative, judicial, and executive functions are not exercised within a formally coherent territory. They are differently extended temporarily in B and C areas, or suspended temporarily in the areas designated as A areas, disconnected from each other and from the territory. This mirrors the "deterritorialised" character of PA control (Natsheh and Parizot 2015, 112), in line with the rationale of Israel's policy of considering the territory and the population as distinct entities in order to incorporate the first, while excluding the latter from the political community. Therefore, the administrative borders fragmenting the historical Palestinian territory and the West Bank are movable and always changing according to the Israeli army's interests, impositions, and authorisations. The territory is fluid, reshaped over and over again, constantly and unevenly fragmented and reassembled, composed of movable jagged pieces that continuously change their shape and extension, mirroring the postmodern fluid forms of spatiality and sources of authority on which Israel's colonial regime today is grounded.

In conclusion, the flows of potable water and forms of authority across space and time shed light on the role of the PA, of donors, and of development actors in the reconfiguration and maintenance of Israel's regime of colonial occupation since the Oslo Accords. The PA's sovereignty over the territory of the West Bank is only apparent, since the PA's power is actually subject to the ultimate authority of the hegemonic, sovereign Israeli state controlling the whole historical Palestinian territory. The PA actually consists of a network of institutions that contributes to Israel's colonial rule of Palestinian territory, resources, and inhabitants—thanks to the support of international and in particular Western donors, development and humanitarian agencies, and NGOs. These social actors provide the occupied Palestinian population with basic services, thus enabling Israel to avoid fulfilling this responsibility and to pay the connected costs as established by the Treaty of Geneva, which requires occupying countries to take care of occupied populations. By delegating the control and administration of the occupied population to other public and private actors, including the PA, since the Oslo Accords, Israel has reduced the political and economic costs of its regime of occupation, ensuring its long-term permanency, while creating new patterns of sovereignty that reveal its postmodern character (Latte Abdallah and Parizot 2017; 2015).

Palestinian water policies and practices within a fragmented territory: Spaces of privilege, marginalisation, and resistance

Palestinians strategically use the spatial fragmentation of the territory and of PA authority in order to resist to the PA's control and oppression, to pursue personal interests, and to evade personal duties. Palestinians seeking to escape the Palestinian security forces temporarily move to a B or C area, trying to limit their movements within A areas where the PA can exercise its executive power. An inhabitant of Wādī Fūkīn working as PA employee knew in advance about the Israeli army's authorisation of a PA inspection in the B area of the village, which was looking for unregistered vehicles (without license plate and insurance) and aimed at punishing their Palestinian owners. The day the Palestinian police entered the village, the concerned villagers eluded its control by moving their cars from their houses, located in the B area, to the final part of the valley in the C area, where the PA's inspectors could not enter. Moreover, taking advantage of Israel's administrative constraints limiting PA control, most villagers began to refuse to pay for water after the 1994 establishment of the PWA's administration of potable water supply in Wādī Fūkīn. Some local farmers began to divert potable water from the water system in the built-up area to their fields to use it for irrigation, by laying rubber pipes and manipulating and often damaging water meters. Over time, these dynamics led the Village Council to incur a debt with *as-sulṭa* (the authority), as Palestinians call the PA, that in 2017 was more than 100,000 shekels.

Most villagers justify these practices by claiming the sacred character of water and invoking an invented Islamic ban on water commoditisation. They claim the legitimacy of local norms regulating access to spring water, reified as based upon principles concerning natural water resources under Islamic law (*ṣharī'a*), which are reinvented and idealised as a source of social justice and fairness (De Donato 2019c). Potable water thefts and the refusal to pay for it are daily practices carried out by many Palestinians living in rural areas and refugee camps, such as in the villages neighbouring Wādī Fūkīn and in the ad-Dehīša refugee camp (De Donato 2013). By means of these practices, justified by different discursive strategies, Palestinians compete with the water bureaucracies' vertical management and resist the PA's water centralisation. They thus re-politicise drinking water as a political arena for the public debate around the Palestinian state-building, its meaning, its relationships with citizens, and its legitimacy to govern and represent Palestinian claims for water justice and self-determination. According to the Oslo Accords, one of the conditions imposed on the creation of the PA was its acknowledgement of Israel's sovereignty west of the Green Line. This entails the denial of the right to return to their original homes of the '48 refugees, as they are locally called, whose

villages of origins were situated in the territory incorporated into Israel and who were evacuated in 1948. This is a major reason leading most Palestinian refugees to deny the PA's legitimacy. This claim is also shared by most Palestinians living in villages situated along the Green Line, such as Wādī Fūkīn, where most of land has been incorporated within the Israeli nation-state.

For the inhabitants of Wādī Fūkīn, building the new Palestinian water network did not symbolise an important step toward self-determination. Instead, they connected it to the imposition of another exogenous, unfair, and illegitimate authority that may entail an imminent condition of drinking water stress. Indeed, villagers fear that the PWA may use its new administrative power in the village as a coercive and repressive strategy to force them to pay for water, and even pay for the debt they incurred with the PA. Villagers know very well the situation in the ad-Dehīša refugee camp, which is included in an A area under PA administration and security control, but it is administered by the United Nations Relief and Works Agency (UNRWA). Refugee status is associated with economic and social rights established by the Arab states and adopted by the Palestine Liberation Organisation decades ago, such as the waiving of potable water charges. However, since its creation, the PA has been seeking to coerce refugees to pay for water, by restricting water supplies to the houses in the refugee camp in order to extend its jurisdiction in the space of the refugee camp, changing its meaning and integrating refugees as citizens in a proletarian suburb (De Donato 2013). The Palestinian underground water systems also hide the PA's discriminatory water allocation patterns, which favour the main cities at the expense of villages and of refugee camps in particular.

By favouring urban water use, the PA not only ensures local political and economic elites' loyalty and support (Tamari 2002), but also meets the conditions imposed by international donors on the construction of state institutional and infrastructural systems (Goff & Crow 2014). The PA's water distribution creates "water hierarchies" among the spaces under its administration (De Donato 2013), characterised by unbalanced spatial conditions of water shortage and abundance, thus producing multiple spatialised "hierarchical citizenships" that mirror the marginalisation of the inhabitants of rural areas and refugee camps in the PA's political structures. Water policies have an active material and symbolic role in the hegemonic strategies of the Palestinian urban elites ruling the PA. For them, water centralisation is a main strategy to achieve and retain control over the Palestinian population and productive systems, especially through the lack of independence, jurisdiction, and ultimate control over a continuous territory and its resources. The PA's discriminatory water policies further fragment the spaces under its administration in places with different experiences of water deprivation, multiplying Palestinians' perceptions of political and ecological realities and increasing social differentiation among them, thus hindering their cohesion against Israel's colonial occupation.

Nevertheless, once again, Israel's administrative and legal constraints limit the range of hydropolitics (Trottier 1999) the PA can exert over Palestinians living in Wādī Fūkīn. The PWA cannot cut off potable water supply in order to coerce villagers to pay for water, as it does in the ad-Dehīša refugee camp. It cannot divert the water supplied to Wādī Fūkīn and the other villages to urban areas under its administration, given the lack of connections between the networks supplying these spaces. The PWA also cannot store and ration this water, thus affecting its amount, given the Israeli ban on building the reservoirs. However, villagers' concerns about water availability are well-founded. Indeed, since the building of the Palestinian water network, the amount of water that Mekorot delivers to the four Palestinian villages is previously decided as a fixed amount that in the future may be insufficient to satisfying the growing population's needs. Moreover, given the collusion of the PA with Israel, the PA may ask it to decrease the water supply to the four villages, in exchange for an increased amount of water delivered to Palestinian urban areas through other connections with Mekorot's networks. Thanks to their control of the main taps regulating water flow to each village connected to the new water network, the PWA may also implement an unfair water distribution between the four villages. As many people said to me, the PA administration makes Palestinians' daily life even worse.

The PA's collusion, unfairness, and illegitimacy thus lead marginalised Palestinians to carry out practices hindering its administrative prerogatives. These should not be understood as contradictory choices that favour Israel's colonisation. While creating spaces of manoeuvre to survive and pursue personal interests, these practices seek to destabilise the fragile collusive relationships between Israel and the Palestinian political and economic elites ruling the PA, which ensure both Israel's system of control of Palestinians and the interests and privileges of the latter. Many people in Wādī Fūkīn defiantly argued that the PA must pay Mekorot for the water supplied to the village, independent of villagers' payment. Indeed, the PA's legitimacy and existence depend on the Israeli authorities' consent and on international donor funding, which are ensured on the condition that it pays taxes to Israel (taxes used to maintain the Israeli occupation) and that it keeps social control repressing Palestinian resistance.

Given this situation, marginalised Palestinians perceive the PA as an outside, unfair, and illegitimate network of institutions controlled by a minority group and working for the Israeli occupation at the expense of Palestinian claims of self-determination. Most of them would prefer the PA's dismantling and the reestablishment of a clearer, more direct Israeli army administration, to put an end to the illusionary performance of the construction of a Palestinian nation-state that ensures the international community's sustained support of the Israeli colonial regime and compromises Palestinians' cohesion in the struggle against it—by multiplying and “making unclear the enemies they have to fight”,

as some Palestinians said to me. Some Palestinians even hope to acquire Israeli citizenship, as some inhabitants of Wādī Fūkīn admitted, despite knowing that Palestinians are discriminated against as third-class citizens in Israeli society. These ideas—that are difficult to declare in public—are not in conflict with these people's feelings of Palestinian national belonging and patriotic sentiment. In the context of Israel's ultimate control over the whole of historical Palestinian territory, where the Green Line is only one of the many administrative borders fragmenting it, Israeli citizenship is viewed as a "guest pass" to accessing the whole territory and vital resources and services, such as water, work, medical treatments, and a higher degree of security against Israel's violence and abuse of power. Israeli citizenship thus means a greater hope of living and securing a future for a family under the oppressive Israeli colonial occupation.

Fluid hydro-social boundaries between Palestinian and Israeli distant neighbours

Israel's architectural and security strategies aimed at Palestinians' spatial segregation create a disconnection between Palestinian and Israeli neighbourhoods and a symbolic distance between their inhabitants, strengthening both Israeli and Palestinian national rhetoric respectively reifying Palestinians and Israelis as homogeneous, depersonalised, dangerous, and strange enemies; 'the Other' par excellence. These dynamics contribute to creating Palestinian and Israeli ignorance about each other, arousing mistrust and suspicion and further fuelling tensions between them. However, the material and symbolic fluidity of water crosses the physical and symbolical boundaries between Palestinian and Israeli neighbouring areas, re-establishing a "social contiguity" between Israeli and Palestinian distant neighbours. Local water dynamics highlight the entanglement of Palestinian and Israeli socioecological spaces and networks, giving life and subjectivity back to Israelis and Palestinians while showing the multiple degrees of 'otherness' and closeness they bear in daily interdependent relationships. These processes should be understood in the framework of the segregated integration of Palestinians in a network of daily economic, cultural, and political interdependent relationships with Israelis highly unbalanced in favour of the latter, which has been amplified by Israel's separation policy and on which Israel's hegemony is grounded.

In the following subsections, I show that the village of Wādī Fūkīn is a place of encounter between multiple colluding and conflicting practices and narratives about water produced by Israeli and Palestinian interest groups. These convey multiple representations and uses of space and borders, connected to different ideologies, interests, identity constructions, and forms of political belonging that strengthen or undermine the physical, cultural, political, and

statutory boundaries created by Israel's cultural and spatial categorisations and reifications. Israeli and Palestinian interest groups, NGOs, and other private actors adapt, undermine, re-appropriate, redeploy, and take over Israel's mechanisms of control and separation for their own interests, contributing to their readjustments—for example, leading to a change in the path of the segregation wall or in the administrative definition of a Palestinian area—in turn contributing to settler colonial policies or to control over Palestinian access to space, water, and work. In line with Latte, Abdallah, and Parizot's study (2015), I thus highlight how Palestinian and Israeli private actors contribute to the working of Israel's hegemonic colonial strategies, according to the postmodern forms of governmentality and sovereignty that characterise Israel's colonial regime. Following Handel's (2015) insights, these power dialectics shape a political arena where Palestinians struggle for their possibility to access, use, and define the meaning of the space in the village, and thus for their future life and survival. The interactions between Palestinian and Israeli private actors' practices and interests around water in Wādī Fūkīn result in contradictory and paradoxical dynamics that shed light on the conflicts, tensions, and sociopolitical differentiations characterising both Israeli and Palestinian heterogeneous societies, and on the problematic character of a dichotomous and linear view of the domination and resistance dynamics between them.

Contested sacred spring water and spaces: A colonial encounter between religion and marketing policies

The pure, sacred, and ancestral character of the spring water flowing in the valley of Wādī Fūkīn is contested by Palestinian villagers and the Israeli Haredi settlers living in the neighbouring Beitar Illit. In the context of Israel's strategies of Palestinian spatial segregation legitimised by the exclusive connection of spaces to politicised ethnic, religious, and cultural identities, what is at stake in these contentious struggles—unfolding by means of symbolic practices, religious representations, and constructions of historical memories concerning water—is the meaning and use of the space in the village, on which the reproduction, safety, and future of the Palestinian community in Wādī Fūkīn highly depend.

Many Saturdays, during the Sabbath (the day of worship and rest observed by Jews), some settlers with long beards, wearing long and black tunics and black hats, go in group to the valley in Wādī Fūkīn with a tourist guide in order to pray at a spring or a tank for spring-water collection. These people, locally called '*mustawtīnīn mutadayynīn*' (religious settlers), belong to Jewish orthodox and ultraorthodox Haredi communities. They consider spring water

in Wādī Fūkīn as sacred water for Jewish people. According to their religious rhetoric, the springs in the village were used by the inhabitants of a Jewish city lying in that area in ancient times, as mentioned in the Babylonian Talmud dating around 500 A.D. (Shilhav 1998). As other Israelis who go to the valley to swim in Palestinian tanks for spring-water collection, these settlers do not consider the private character of these tanks, instead seeing them as “natural” containers of a sacred resource alienated from social relations with local Palestinians, i.e., existing within an empty space. Unlike other settlers coming to the village, these settlers usually are not armed and do not exhibit violent or immoral behaviour.⁸ They usually avoid and ignore local Palestinians, as they are not present. This reserved attitude characterises Haredi Jews, whose religious beliefs and moral code impose upon them segregation from secular society, lifestyles, and practices, which are viewed as threatening their community's sociocultural reproduction.

Given the physical and symbolic distance usually kept by both villagers and Israelis coming to pray, villagers do not know that the orthodox and ultra-orthodox Haredi communities living in Beitar Illit contest the legitimacy of Israel's sovereignty. They do not assign any nationalist value to Palestinian lands and even refuse the secular concept of sovereignty, viewed as religiously invalid. When I informed some villagers of Haredi settlers' political position towards Israel, they replied that these communities anyway live in one of the largest and most rapidly growing Israeli settlements.⁹ The Beitar Illit settlement was founded in 1990 as a result of the partially compatible encounter of different interests and ideologies around the question of housing: the right-wing ministries' settlement policy, which aimed at expanding Israel's control over the West Bank, and the need to solve the housing problems of the large Haredi communities living in Jerusalem and the tensions with them concerning the management of space in the sacred city, which is at the centre of global flows of tourism and financial resources (Shilhav 1998). By planning the creation of Beitar Illit, a Haredi segregated town in the Palestinian territories, the Israeli Housing Ministry strategically used the Haredim's housing needs and segregated character, in order to simultaneously expanding Israel's control over the Palestinian territories and thinning out from Jerusalem Israelis of low socioeconomic status that contest secular behaviours and modernisation processes in the sacred city. Many Haredi communities and leaders contested this solution, as they did not want to leave the sacred city and were not interested in Israel's ideological territorial policy in the Palestinian territories. To solve

⁸ Some Israeli men and women going to the valley of Wādī Fūkīn swim together in local tanks without clothes, violating local moral values and norms concerning sexuality and gender relationships. Villagers feel these practices exert symbolic violence threatening the sociocultural reproduction of the local community.

⁹ Beitar Illit has the fastest population growth among the settlements in the West Bank, with one of the highest birth rates in Israel that stands at 1,800 annual births (source: Beitar Illit Official website: <http://betar-illit.muni.il/eng/?CategoryID=0>. Accessed on 03/02/2017).

this ideological conflict and co-opt the Haredim, the Housing Ministry used a marketing policy to tempt this large segment of Israeli society (associated with low socioeconomic status) with incomparable marketing incentives that could not be refused, such as very cheap housing and a preferential financial support. When the first low-income residents reinforced the new town's establishment, the Housing Ministry began to plan freestanding houses for a wealthier population without need of financial assistance, especially since 1996.

Despite the quiet behaviour of Haredi settlers, local Palestinians view them as being as dangerous as the others. The dangerousness that worries them is eminently symbolic. By praying at a spring or a tank, these Israelis reinvent the memory of the ancient history of water flows in the village, connecting it to Jewish people's attachment to the village's valley as a sacred space.

Villagers connect every religious attitude towards their land, springs, or other resources to the hegemonic Zionist interest in the settler colonisation of the entire Palestinian territories, which, anyway, always prevails. Palestinians experienced the material implications of the symbolic appropriation of space many times, directly or indirectly. Israel expropriated many lands and symbolic resources claiming their sacred character for Jewish people.¹⁰ In order to co-opt religious groups, Israel appropriates their religious narratives and redeploys them in the framework of the cultural creation of the Israeli nation-state, as proof of the Jewish nation's cultural "authenticity", legitimacy, and historical roots in the territory, allegedly since biblical times. Israel imposes a biblical Hebrew geographical nomenclature for Palestinian historical territories and it connects to them nationalist meanings, while removing centuries of Palestinians' history.

In response to Israeli religious rhetoric, the inhabitants of Wādī Fūkīn also claim the purity of spring water and represent it as a gift from God managed according to immemorial water rights defined by long-time kinship and inheritance relationships between present individuals and their extended families' "ancestors", who founded the community during the Ottoman period. These ancestors embody the "ancestral" reciprocal ties between local families and spring-water flows and land, symbolising villagers' autochthony, cultural authenticity and, thus, legitimacy to struggle for their right to freely live, use, and move in the small space of the village. Local social memories about the history of the community are selected and their meanings and values shaped through the lens of present perceptions and claims. The oral memories attesting to the presence of the village community during the historical Ottoman period have a key role, in response to Israel's restoration of land legislation and legal devices

¹⁰ Israel appropriated half of the Abraham Mosque[al-masjid al-Ibrāhīmī], situated in Hebron, and turned it into a synagogue after a violent terrorist attack carried out by an Israeli settler in 1994, who killed 29 Palestinians who were praying in this mosque. The Palestinian national struggle against Israel's appropriation of Jerusalem and the Al-Aqsa mosque—which is claimed to be a synagogue in ancient times—is well-known all over the world.

for land expropriation introduced at that time. Meanwhile, memories about the different origins of the extended families living in the village, who arrived from other areas of the Palestinian territories, are guarded as part of the community's cultural intimacy (Herzfeld 1997), as they are viewed as a threat to its autochthonous claims. Local representations also affect, and are affected by, the PA's production of nationalist historical narratives and heritage constructions to assert the legitimacy of Palestinian territorial claims. In response to Israel's rhetoric, Palestinian national narratives and collective imagination reify and idealise peasants' "traditional" culture and farming practices, including spring-water management, as a symbol of the Palestinian national identity and historical roots in the territory (Swedenburg 1990). However, these narratives also contribute to Palestinian urban elites' domination strategies, as they mask peasants and refugees' subordination within national power structures behind a shared, reified national identity.

Despite the deep changes in the socioeconomic configuration of the community in the village, in response to the Israeli legal devices for land and water expropriation, the sociocultural organisation, use, and representation of the valley in the village as a rural area historically farmed by local Palestinians have a central role in villagers' resistance against the threat of again becoming refugees. For them, the land in the valley irrigated through the community management of spring water is a space of resistance and manoeuvre to gain some autonomy from Israel in meeting their basic food needs, especially in the context of job insecurity and precariousness and in light of Israel's changing labour and security policies. Therefore, the material and sociocultural reproduction of the community in the village highly depends on its struggle about the meaning and use of the space in the village, a struggle in which spring water has an active material and symbolic role.

The meanings connected to water and space in the valley of Wādī Fūkīn by villagers and by the Haredim are not necessarily in conflict. However, Palestinians' potential co-optation of, and collusion with, the patterns of belonging and political claims of these Israeli interest groups contesting the Israeli state are neutralised by Israel's powerful strategies of coercion, co-optation, and manipulation of these groups and their ideas, aimed at integrating them in the national power structures and culture. These power dynamics within Israeli society also must be understood in the framework of Israel's strategies of settler colonisation and reinvention of the whole Palestinian territory, and of its technologies of control of both the Israeli and Palestinian population grounded on space management. In order to solve the tensions concerning the management of space in Jerusalem with these large Israeli groups destabilising its power, Israel has coerced their large-scale displacement to the east of the Green Line—depoliticising this move as a housing strategy aimed at managing the needs of a segment of Israeli society by means of marketing policies, in a territory that is entirely controlled by the Israeli state.

By creating Beitar Illit, a Haredi segregated town, Israel not only met the cultural and housing needs of Haredi communities, whose segregation and high dependence on the external support of state institutions and ministerial funding¹¹ is strongly contested by some state members and Israeli secular interest groups. It also sought to control these groups contesting its sovereignty in a space of marginalisation,¹² and to co-opt and involve them in the right-wing government's ideological, colonial, and territorial policies despite their reluctance, by means of administrative strategies affecting their sociocultural reproduction. Indeed, since the 1990 definition of Beitar Illit as a municipality with its local council, Israel gave administrative responsibilities to Haredi communities, increasing their involvement in the state political system. The security administration of the settlement was a central issue in these Israel's strategies. The IDF's (Israel Defense Forces) military order for the management of local councils in Judea and Samaria concerning the coordination of guard duty in the settlements requires that, in settlements with more than 4,000 inhabitants, residents be responsible for the guard duty. However, in 1996, 70 percent of men in Beitar Illit were Haredim without any training in weapons use or in guarding (Shilhav 1998).

Indeed, the Article 36 of the 1986 Security Service Law established that Haredim involved in Jewish learning and Torah study are exempted from the obligatory Israeli military service. Only 30 percent of men in Beitar Illit could be involved in the security staff. These men were the newly religious Jews who served in the IDF before becoming Haredi, along with the non-Haredi religious Jews, such as the "religious Zionists".¹³ The IDF's attempts to offer special military training to young Haredim, in collusion with the head of the settlement's council, have been strongly opposed by Haredi communities, which viewed such training as a threat to the social structure and cultural reproduction of Haredi communities. Indeed, it would have decreased the religious leadership's control of young Haredim and increased the risk of introducing state-religious education and values (Shilhav 1998). Despite the Haredim opposing integration in Israeli military structures, over time Israel's powerful co-opting strategies seem to be successful. Indeed, the increased involvement of Haredi

¹¹ This is connected to high birth rates and the high percentage of people engaged in the study of the Torah, who, therefore, do not participate in the labour market.

¹² Beitar Illit has the highest percentage of children of any Israeli settlement or city, with 63 percent of the population under 18 years old. Beitar Illit is ranked first in the socioeconomic poverty scale. Overcrowded housing conditions and domestic violence are two main problems in the settlement. The number of preschool and high-school children at risk was estimated to be 2,136 in 2017 (Beitar Illit Official website: <http://betar-illit.muni.il/eng/?CategoryID=0>. Accessed on 03/02/2017)

¹³ Despite most of settlers in Beitar Illit being Haredi, the settlement also hosts newly religious Jews and non-Haredi religious Jews (called "moderate religious"), defining themselves as "national religious" or "religious Zionists". The relationships between the Haredi majority and these minority groups are characterised by tensions and sometimes violence, which arise in the framework of the Haredim's attempts at imposing their moral norms (such as gender segregation and modest women's clothing), limiting the sociocultural behaviours that threaten the sociocultural reproduction of their communities (Shilhav 1998, 86).

communities in the state administrative system, the gradual introduction of secular values conveyed by mass media, and the increasing participation of young Haredim in the labour market¹⁴ have led to important sociocultural changes that particularly affect the new generations. Young Haredim now carry out greater and more frequent spatial movements, interact more with the Israeli secular society, and have a greater awareness of Israeli political affairs. According to Shilhav, they are less tied to the Haredi ideological and religious opposition to Zionism that characterised previous generations.

Picture 5: Some tanks for spring-water collection in Wādī Fūkīn and behind, on the hill, the Israeli settlement of Beitar Illit



Source: **author**, 2017.

¹⁴ Young Haredim are attempting to overcome the growing economic difficulties of their families, due to high birth rates and the great number of people engaged in the study of the Torah—who, therefore, are not involved in salaried employment (Shilhav 1998, 86).

Forced water sharing between Palestinians and marginalised Israeli settlers: Israel's co-optation of Palestinian resistance

Wādī Fūkīn village and the disconnected, neighbouring Israeli settlement of Hadar Beitar have been reconnected for many years by forced and contradictory “water relationships” in the context of Israel’s policies of control over the access to space and water resources of both the Palestinian and the Israeli populations. The small Hadar Beitar (the Glory of Beitar) settlement, situated to the north-east of the village, close to its entry and to Beitar Illit, is made up of a few trailers and huts. Despite the fact that it was founded in 1985,¹⁵ before the Beitar Illit settlement, in 2015 it still seemed to be an Israeli outpost waiting to be developed. Almost all villagers were sure that Israel was seeking to displace its inhabitants, even if they ignored its motivations, as well as the history of this settlement. This settlement was established by a small group of Zionist orthodox families associated with the Merkaz Harav Yeshiva and Machon Meir for newly-religious Jews, under the initiative of Joseph Rosenberg, an orthodox immigrant from South Africa belonging to the right-wing Beitar movement. These religious right-wing nationalists belonged to the orthodox stream drawing on the Zionist connection between national sovereignty—in its secular European meanings—and religious attachment of Jewish people to Eretz Yisrael (the Land of Israel). The new Hadar Beitar settlement was ideologically connected and, thus, created close to the historical site of Beitar, dating back to around 500 A.D. and referred to as a great Jewish city in the Babylonian Talmud (Shilhav 1998:86).

For a long time, this settlement was neglected by Israel and was thus characterised by the lack of permanent building and development, because of failures in finding suitable potential residents and the resources to recruit them. Mekorot did not build a water system in Hadar Beitar, as it usually does in new Israeli outposts. Its few settlers lived in harsh physical conditions. Since 1990, Israel moved them from hilltop to hilltop to leave space for the expansion of the new Beitar Illit settlement, which was planned and financed by the Israeli Housing Ministry. Although the group of pioneers who founded Hadar Beitar (initially organised as a cooperative) left the site in mid-1994, few other Israelis moved there in a spontaneous way, without any organisational framework (Shilhav 1998).

In this context, according to villagers, the Hadar Beitar settlers built an illegal connection with the water system in Wādī Fūkīn in the 1990s by means of rubber pipes diverting potable water to their settlement. Through these practices, settlers sought to resist Israel’s attempts at displacing them by means of the same hydropolitics often adopted towards Palestinians. First,

¹⁵ This is the Hebrew date of Lag B’Omer, a date commemorating Bar-Kochba’s revolt against the Romans (132-135 A.C.), during which the historic Beitar was the last stronghold. The right-wing Beitar movement connects the historic Beitar to Jewish heroism (Shilhav 1998).

these armed, aggressive settlers stole water, exerting their power over local Palestinians, whose opposition would have probably entailed violent reprisals and subsequent intervention by Israeli soldiers. Later, they began to indirectly pay villagers for the water consumed. They usually gave the money to the Beitar Illit municipality, which then gave it to the Wādī Fūkīn Village Council. By coercing a commercial dependence relationship on villagers for the satisfaction of their water needs, these settlers co-opted them in the struggle against the Israeli state for the survival of a settlement occupying Palestinian land. This choice might be explained by settlers' will to ensure a more long-lasting and trouble-free illegal access to Mekorot's potable water, without affecting water supply in the Beitar Illit settlement nor the Israeli company's economic interests, given their increasing weak position and difficulties to oppose the powerful Israeli state. The mediation of money transactions for water by the Beitar Illit municipality, an institution under Israel's authority, might be aimed at normalising the presence of Hadar Beitar and its relationships with the legitimate (for Israel) Beitar Illit settlement. Israel probably allowed these illegal water transactions as a way of decreasing the tensions with settlers in Hadar Beitar by allowing their access to drinking water, to which every Israeli person is entitled according to the Israeli Water Law, without endorsing their claims. The members of the Village Council of Wādī Fūkīn, instead, accepted establishing a commercial relationship with these settlers as a way to avoid conflicts with them and to achieve personal advantage¹⁶ from unchallenged Israeli enemies—who, anyway, are protected by the Israeli army—by strategically using the conflicts within the Israeli society. Some villagers justified this relationship by describing it as a contingent overturn of the high dependence of Palestinian life on water and other resources expropriated and controlled by Israel, since these settlers, as they told me, were the only Israelis paying Palestinians for water (who, anyway, had to pay Israel for water supply!).

In 2015, the Beitar Illit municipality refused to continue to mediate these settlers' transactions for drinking water. This affected the decision of the Village Council members appointed that year to stop the relationship with Hadar Beitar settlers, refusing to give them access to water and thus redeploying a strategy often implemented by Israel, but also by the PA. For villagers, to continue this commercial relationship despite Israel's ultimate decision to displace these settlers from Palestinian land entailed too great a compromise and risk. Criticising the previous members of the Village Council, the new ones claimed that the illegal water transactions with these settlers were contributing to the normalisation of their settlement's presence and colonial relationships with villagers, which Palestinians refer to as *tatbī'a* (naturalisation). Some Hadar Beitar settlers reacted by menacing the safety of a certain Village

¹⁶ The Village Council asked the Hadar Beitar settlers to pay water at a higher price (seven shekels/m3) than that imposed by Mekorot on villagers (five shekels/m3), which in turn was higher than the price paid by Israelis for potable water supply.

Council member. However, according to the head of the Council, almost all settlers living in Hadar Beitar moved away in 2017, despite trails and hugs still being present.

The daily dynamics of contention and forced sharing of water flows between villagers and their Israeli neighbours highlight some of the contradictory dynamics, interests, and conflicts characterising both Palestinian and Israeli heterogeneous societies and the relationships between them. In the framework of Israel's strategies to appropriate and reinvent Palestinian territory, the Israeli army forces or coerces large-scale displacements of the Palestinian population and, if necessary, also of Israeli groups, by means of the control over access to water resources. In order to ensure the expansion of an Israeli settlement in that area of the West Bank, the Israeli government coerced the orthodox settlers living in Hadar Beitar to move away—despite the fact that they shared its Zionist, colonial motivations to settle east of the Green Line—in order to leave space to Haredi communities, who instead were interested in settling in that location only for economic reasons. Moreover, Palestinians' opposition to Israeli settlers has been indirectly fostered and legitimised by the Beitar Illit municipality, an Israeli institution. However, their opposition has unintentionally contributed to the working of Israel's mechanisms of control over an Israeli interest group destabilising its power, thus favouring Israel's strategies to overcome an obstacle to the further expansion of Beitar Illit, one of the largest Israeli settlements in the West Bank.

Picture 6: The Israeli settlements of Hadar Beitar (to the right) and Beitar Illit (to the left)



Source : **author**, 2017.

The colonial entanglement of environmental and work relationships and spaces

While pointing at the Israeli urban settlements encircling the village, a young boy told me that according to his father the *isrā'īlyyn* (Israelis) in Tzur Hadassah were a little better than those living in Beitar Illit and Hadar Beitar. This idea was not connected to the international community's distinction between Israeli legal settlements situated in Israel west of the Green Line, such as Tzur Hadassah, and illegal settlements built in the West Bank, such as Beitar Illit and Hadar Beitar. Indeed, in the context of Israel's ultimate control over the whole Palestinian territory this distinction is meaningless, especially for '48 refugees and for Palestinians living in villages bordered by the Green Line, such as Wādī Fūkīn, where many lands have been expropriated and incorporated into Israel, to be occupied by Israeli settlements such as Tzur Hadassah, whose building began in 1960. The inhabitants of Wādī Fūkīn refer to these neighbouring Israeli urban areas using the same term, *mustawṭana* (settlement). Once again, villagers' construction of the symbolic difference between their Israeli neighbours is mediated by local dynamics around water in which, once again, Palestinian rights to access, use, and move within the space in the village are at stake. These dynamics highlight that Israel's separation policy entailed a reconfiguration of the relationships between Palestinians and Israelis, whose practices, uses, and concepts of space and borders ensure colluding and conflicting interests, and affect the functioning of Israel's mechanisms of control of Palestinians' access to space and resources such as water.

Israeli green groups from Tzur Hadassah, together with few Palestinian villagers, have been involved in the production of an Alternative Master Plan concerning the development and conservation of Wādī Fūkīn, whose priority was the conservation of the springs in the village (FOEME 2006). The Master Plan recommended that the Israeli government limits the expansion of Tzur Hadassah and Beitar Illit, whose responsibility concerning springs' drying up was previously ascertained by scientific surveys about the springs' hydrological system (Haviv and Asaf 2005)—as I explained in the first section of this chapter. Moreover, these Israeli green groups lobbied the Israeli government for a change in the path of the Separation Fence (the Israeli segregation wall) planned to be built between the village and Tzur Hadassah for security reasons.¹⁷ Indeed, digging for the foundations of the wall would have further damaged the local hydrological and ecological system, destroying the underground paths of rainwater flows that feed the springs in the village, and thus depriving local inhabitants of their historical agricultural livelihood. These Israelis succeeded in (temporarily) stopping the construction of this part of the wall (Katz-Mink 2012-2013).

¹⁷ On 24 February 2010, a few Palestinians and three hundred Israeli residents from Tzur Hadassah presented a successful petition to the Israeli High Court of Justice against the building of that part of the segregation wall (Katz-Mink 2012-2013).

This project was organised by the joint Jordanian, Palestinian, and Israeli environmental NGO called Friends of the Earth-Middle East (FOEME), in the framework of the “Good Water Neighbours” initiative, whose objective is to encourage a joint management of the regional environment and water resources by Israeli, Palestinian, and Jordanian neighbouring communities. The FOEME demanded the protection of the socionatural environment in the village by the Israeli government, through the patrimonialisation of both the environment and local Palestinians’ “ancient tradition” of spring-fed agriculture. These are defined as a unique natural and cultural heritage in the Judean Mountains, shared by Palestinians and Israelis living in neighbouring spaces. Different from the Israeli and Palestinian national narratives that consider water as a matter of territoriality over which sovereignty and property rights should be exercised, this NGO’s environmental peacebuilding approach (EcoPeace/Friends of the Earth Middle East 2008) focuses on the production, management, and distribution of environmental hazards shared by populations living within a shared ecology, independent of the sovereignty status (Alatout 2006). These environmental narratives, characterised by an economic notion of water, convey a depoliticised conception of space and seek to shape new regional identities. Moreover, they reify local Palestinian culture and farming techniques as “traditional” or unchanged over time, and thus implicitly “natural”, sustainable, and healthy. This rhetoric—that is similar to the previous social science myth about the pristine goodness of a naturalised “good savage”—is mobilised by Israelis belonging to green groups who go to the valley of the village, in C area, to buy crops from local farmers, within the framework of new ideas about organic food spreading among the Western, Israeli, and Palestinian urban middle class. These practices and representations not only overturn Palestinians’ economic dependence on the Israeli market. They also overturn Israel’s modernist reification of local farming techniques as backward and inefficient, undermining its representations of the superiority of Israeli “modern”, high-tech agriculture that “makes the desert bloom” —a claim on which the creation and legitimacy of a new Jewish man, and of his material and symbolical tie with the promise land, are grounded (Van Aken 2012, 2015).

The few local Palestinians who participated to the FOEME-organised project viewed it as a contingent and strategic way to use the status of Israeli citizens, who have more rights and greater voice in the Israeli state, in order to seek to protect the village from Israel, in the framework of the perceived PA’s powerlessness and collusion with the occupation. These villagers are criticised by the others, who assert that this project contributed to the *tatbī’a* (naturalisation) of the relationships between the village and the Israeli town as normal and egalitarian neighbourhood relationships. The building of an ecological community grounded on the sharing of the same environmental problems, perceptions, experiences, goals, and benefits is a difficult objective to achieve, given the very different conditions of vulnerability to environmental changes and

problems experienced by Israelis and Palestinians living in these neighbouring spaces—differences produced by Israel's discriminatory planning policies. Villagers share FOEME's objective of protecting the socioecological network in the village. However, in the context of Palestinians' spatial segregation, where space is highly politicised and managed as a strategic tool of Israel's domination, the depoliticised notion of space and the identity constructions conveyed by the solutions imagined by FOEME are unacceptable for villagers, who seek to protect the village as a socioecological heritage belonging to the local Palestinian community, and not as a common Israeli and Palestinian space independent of its juridical status.

Most villagers view these Israeli interest groups' mobilisation in favour of Palestinians as part of a role-play with the same inexorable end: Israeli state institutions' imposition of their unchallenged power and interests at the expense of Palestinians' rights. Indeed, Palestinians experienced many times the relationship between heritage construction and power. Israel expropriated many Palestinian lands in the name of environmental protection (Braverman 2009a, 2009b), by declaring them as nature reserves or archaeological sites (ARIJ September 2015) and then denying local Palestinian territorial rights and imposing their large-scale displacement. A state strategy of land expropriation that ultimately is globally spread (Goldman 2011; Palumbo 2003). Palestinian access to these spaces is subject to severe restrictions and permit systems; their homes and infrastructures are demolished and their safety is threatened by soldiers' violence. These practices are aimed at hindering local livelihoods and at coercing Palestinians to leave their land, which later is expropriated by Israel and usually occupied by Israeli settlements for Jewish people (ARIJ September 2015). Therefore, many inhabitants of Wādī Fūkīn think that today Israelis in Tzur Hadassah want to preserve what tomorrow they will appropriate. As they told me, "Israelis from Tzur Hadassah are a little better than those in the other settlements, but finally, they are all *mustawṭinīn* (settlers)!"

Co-opted by Israel, Israeli green groups' interests and practices bear an active role in the implementation of Israel's colonial policy, despite their good intentions. Even the suspension of the building of the segregation wall between the village and Tzur Hadassah, as demanded by these groups, only entailed a readjustment of Israel's colonial strategies without undermining them—given that Israel is expanding the Israeli town of Tzur Hadassah in village land to the east of the Green Line, at the expense of villagers' health and ecological network. In summer 2016, the municipality of the Israeli town began to test pipes to pour out rainwater and *mawayat maḡārī tsūr hadāsā* (the water of the sewer of Tzur Hadassah) to the underneath built-up area of the village, increasing rainwater floods, spring water scarcity, environmental pollution, and risks of diseases. The NGO, FOEME, proposed to Wādī Fūkīn and Tzur Hadassah the joint building and administration of a common sewage treatment facility, which was contested by villagers because it was supposed to be built on the village's space.

Moreover, the lack of this part of the wall also allows other practices of space and borders, favouring the interests of both Israel and of Israeli and Palestinian private actors in the exploitation of the illegal, vulnerable, and low-paid Palestinian labour force—on whom the expansion of Israeli settlements highly depends, and for whom Israel does not pay taxes to the PA, as it must do for legal Palestinian workers. Given the great closeness of Wādī Fūkīn to the bordering Tzur Hadassah, the village has become a sort of corridor to clandestinely enter the territory to the west of the Green Line via networks of smugglers involving Palestinian and Israeli people and spaces, which organise the gathering, transfer across the Israeli “border”, and access to work of illegal Palestinian workers. As well explained by Parizot (2017), the separation policy has offered new lucrative economic opportunities for these networks of private actors, who affect Israel’s mechanisms of control of Palestinian access to space, work, and other resources while strengthening them. Indeed, the Israeli intelligence services also took the opportunity to infiltrate these networks, integrating them into the mechanisms of mobility control and strengthening its system of informers. One of these networks involves Wādī Fūkīn, which bears the role of a Palestinian base where many Palestinian workers coming from other villages and towns gather together to await (for hours or days) the call of an Israeli Jewish or Arabic person from Tzur Hadassah, who informs them about the best moment to illegally cross the border by foot. When they reach the Israeli town, an Israeli citizen brings them to work by car. Thanks to their collusion with these Israelis, some persons in Wādī Fūkīn control and allow other Palestinians’ clandestine access to Israel to work in the Israeli building sector, thus achieving higher socioeconomic status and greater political power in Palestinian society.

Since the implementation of Israel’s separation policy, personal relationships with Israelis, in particular Jewish ones, have become an important form of social capital allowing access to the Israeli spaces and resources to the east and to the west of the Green Line, illegally but also legally. Indeed, an official invitation by an Israeli citizen (an employer, a merchant, or a doctor) is one of the bureaucratic conditions required before requesting the military permit needed to go to Israeli areas to work, to carry out market transactions (to buy Israeli products), or to have access to medical treatment. Before the First Intifada (1987) and in particular the Oslo Accords, Israelis and Palestinians moved within the same territory to meet and visit each other every day. During this period, some inhabitants of Wādī Fūkīn established solidarity relationships and used to exchange reciprocal visits with Israelis living in the neighbouring Tzur Hadassah. Israel’s reinforcement of mobility restrictions with the checkpoint system, the permit politics, and the segregation wall has reduced the spaces and occasions of these interactions, especially since the Second Intifada. Israelis such as those in Tzur Hadassah stopped visiting Palestinian families, especially in A areas, where Israeli entry is forbidden for security reasons by the Israeli army. Today, the relationships between Palestinians and Israelis are almost limited to contingent work and commercial relationships in workplaces and commercial

establishments in Israel and the Israeli settlements, and to anonymous interactions at the checkpoints or while using bypass roads. Therefore, personal relationships with Israelis are an increasingly scarce form of social capital, whose access contributes to amplifying the dynamics of social differentiation between Palestinians that are grounded on a differential access to space. The Oslo Accords institutionalising Israel's separation policy have thus affected the reconfiguration of the relationships between Palestinians and Israelis, while creating new sources of economic and political power in Palestinian society.

The reification of cultural dimensions or environments can be appropriated and manipulated to legitimise multiple political rhetoric, and strategies that seek to shape different meanings of space and identity constructions and convey multiple political and economic interests. The practices, uses, and representations of space deployed by Palestinian and Israeli interest groups interacting around the flows of water and people across the physical and symbolical boundaries created by Israel connect multiple meanings to the village: as an historical Palestinian socioecological farming network resisting land expropriation, as a "natural" heritage under Israel's control, or as a source and a place of control of exploited Palestinian proletarian workers. These representations and practices of the space in the village multiply the perceptions of local reality and amplify uncertainty about the different possible futures of Wādī Fūkīn.

Picture 7: A part of Wādī Fūkīn and behind, on the top of the hill, the Israeli settlement of Tzur Hadassah



Source: **author**, 2017.



Conclusion

The water dynamics analysed in this paper highlight the need to deconstruct the narratives on, and the functioning of, Israel's separation policy as institutionalised with the Oslo Accords, in order to understand the colonial, militarised, and authoritarian character of the Israeli state—a vehicle for the Jewish minority's control of the entire historical Palestinian territory and its resources, such as water. In fact, the Zionist project of constructing an Israeli Jewish nation-state is still underway by means of the systematic settler colonisation of Palestine; a colonisation whose objective is not only the appropriation of Palestinians' land and the domination of the Palestinian majority, but also its elimination in the service of creating an exclusive Jewish state. The disclosure of the illusory and strategic nature of the ongoing building of an independent Palestinian state suggests the urgency of critical reflection by the international community, donors, development agencies, and NGOs about a necessary change in their roles and interventions in the Palestinian territory—to cease to support Israel's colonisation and ethnic cleansing of the Palestinian population and the interests of the colluded Palestinian political elites, and to begin to actually support Palestinian claims for emancipation and self-determination.

In the context of Israel's segregation of Palestinians in fragmented micro-spaces of marginalisation, precariousness, and physical and health insecurity, today the Palestinian national struggle for territorial rights is fragmented into daily micro-struggles of confined communities, families, and individuals, who have to fight just for their right to move and to access, organise, and use both physical space and vital resources, such as water. The fate of Palestinians highly depends on their ability to rebuild wide solidarity networks overcoming social disintegration, recomposing and reinventing the multiple hydro-social territories in which Palestine is fragmented. In this process, the involvement of Israeli people is important, as is their deeper understanding and awareness of the colonial oppressive conditions that constrain every aspect and daily vital activity of Palestinians, the very conditions allowing Israelis' privileged lives. They must take on the responsibility of putting an end to the settler colonisation of Palestine and the ethnic cleansing of Palestinians, acknowledging the essential importance of a re-distribution and equal sharing of land, water, and other resources, as well as space and political power, between Israelis and Palestinians.

Academic research may contribute to these processes in the future by overcoming the limitations of many of the present "segregated research" that investigates either Palestinian society or the Israeli society in isolation. The production of research "at the borders" that goes beyond a territorial view of the relationships between Israelis and Palestinians may bring insights into the potential collusion with marginalised Israeli claims and their co-optation in the Palestinians' struggle for life against the authoritarian and racist politics deployed by the state of Israel.

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Chapter Seven

The Palestinian Environment under Israeli Military Occupation: An International Humanitarian Law Perspective

Mais Qandeel

The Palestinian environment suffers destruction and degradation under the Israeli long-term military occupation. This chapter addresses three main points of discussion. First, it examines the Israeli practices, namely the destruction and exploitation of natural resources, land contamination and mismanagement of waste, as well as their impact on the Palestinian environment in the occupied Palestinian territory (oPt). Second, the chapter reviews customary and conventional provisions of international humanitarian law that may be applied to protect the environment in the oPt. It also studies related international principles embodied in the Rio Declaration on Environment and Development of 1992. Third, the chapter examines Israel's responsibility under international law and points out possibilities and challenges in relation to the laws protecting the Palestinian environment. The chapter argues that the protection of the Palestinian environment is not sufficient under relevant international provisions. Thus, there is a need for clear and strict regulations to prevent environmental harm.

To my beloved father, who loved his olive trees with care and appreciation, teaching his great attachment to his land and identity.



No Man's Land. A collage of images taken from the surface of Lake Victoria Park in London.

2015 | Lightjet prints mounted on matt diasec, 199 x 199 cm. In the collection of The Palestinian Museum in Birzeit.

Source: **Steve Sabella**, <https://stevesabella.space/pages/no-mans-land>

Introduction

Damages to the natural environment in warfare, conflicts or military occupation are inescapable (Jensen and Halle 2009). Armed conflicts and military occupation destroy the ecosystem and impair natural resources. Simultaneously, the destruction of natural resources during warfare further fuels and lengthens conflicts. The harm caused to the environment during armed conflict does not recognise political borders or geographical boundaries. It extends beyond national territories and lasts beyond the period of conflicts. This vicious circle of destruction threatens the existence of all species. The significance of the environment for human survival, development, and enjoyment of human rights has been recognised at the international level in several instruments. For example, it constitutes the core of the 1972 United Nations Conference on the Human Environment (Stockholm Declaration),¹ the focus of the 1992 Rio Declaration on Environment and Development, and the heart of the Agenda 2030 for Sustainable Development, among others.

The importance of protecting the environment during armed conflict has also been recognised. For instance, in its 1996 advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons* (the Nuclear Weapons Case), the International Court of Justice (ICJ) underlined the significance of State obligations to take necessary measures to protect the environment in times of armed conflicts. As the ICJ argues, “the general obligation of States to ensure that activities within their jurisdiction and control respect the environment of other States or of areas beyond national control is now part of the corpus of international law relating to the environment.”² Importantly, the ICJ ruled in 2005 that damages to the environment are considered violations under international law. In a landmark decision after examining Uganda’s Armed Activities on the Territory of the Congo, the ICJ found Uganda responsible for violations of *jus ad bellum*³, *jus in bello* (international humanitarian law), and international human rights law, inter alia, for “looting, plunder and exploitation of the [Democratic Republic of the Congo’s] natural resources”⁴.

In spite of this increased legal attention to the environmental harms caused during armed conflict, the question of the environment has received considerably little attention within the context of the belligerent Israeli occupation of Palestine. The legal discussions often centre on examining the legality of the Israeli practices in the occupied Palestinian territory (oPt) and the protection of civilians under International Human Rights and Humanitarian Law. However,

¹ UN General Assembly, United Nations Conference on the Human Environment, 15 December 1972, A/RES/2994, available at: <https://www.refworld.org/docid/3b00f1c840.html> (accessed on 3 May 2020).

² *Legality of the Threat or Use of Nuclear Weapons* (Advisory Opinion) [1996], ICJ Rep 226, para 29.

³ *Jus ad bellum* refers to the conditions under which States may resort to war or to the use of armed force in general.

⁴ *Armed Activities on the Territory of the Congo* (Democratic Republic of the Congo v. Uganda, Judgment, I.C.J. Reports 2005, p. 168, at p. 253, para. 250).

left unnoticed is that the collateral damage caused by the ongoing Israeli atrocities does not only affect the lives and human rights of Palestinians. It also has severe implications for the natural environment in which they live. Although it suffers damage and destruction, the Palestinian natural environment has been neglected and rarely discussed as a valuable asset requiring protection.

For decades, the Palestinian environment has been the “silent victim” of Israel’s colonial practices (Jensen and Halle 2009, 8). The exploitation of natural resources, contamination of land, and mismanagement of waste have been longstanding Israeli practices in the oPt, which caused the gradual deterioration and degradation of the environment in Palestine. The chapter aims to examine the question of the environment in the oPt from a legal perspective. Specifically, it seeks to assess the capacity of the relevant international instruments to protect the Palestinian environment. The chapter does not intend to examine International Environmental Law (IEL) or multilateral treaties and their status in armed conflicts. Rather, the focus is on the provisions of International Humanitarian Law (IHL) and customary rules applicable to the environment in situations of military occupation.

This chapter addresses four main points of discussion. First, it examines Israeli practices in the oPt and their impact on the Palestinian environment. The examination considers the destruction and exploitation of natural resources, land contamination, and the (mis)management of waste by the Israeli authorities and military, as well as by Israeli settlers in the West Bank and the Gaza Strip, respectively. Second, the chapter reviews relevant IHL provisions, namely, the customary rules of IHL and the 1907 Hague Regulations, the Fourth Geneva Convention and Protocol Additional I, and the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (ENMOD), which may be applied to protect the environment in the oPt. In addition, it examines international principles that provide protections for the environment under military occupation and oppression. Specifically, it will look at related principles embodied in the 1992 Rio Declaration on Environment and Development and the 2015 Draft Covenant on Environment and Development. These two environmental instruments will help to assess how IEL could potentially complement the protection of the environment under military occupation. In the third section, the chapter examines Israel’s responsibility under international law, and points out possibilities to hold Israel accountable for environmental damages in Palestine.

Overall, the chapter argues that the protection of the Palestinian environment is insufficient under relevant international provisions. Thus, there is a need for clearer and stricter regulations to prevent environmental harm and hold the occupying power accountable for their actions. The regulation gap in IHL does not offer a well-established mechanism for state responsibility. IEL may contribute to filling the gap by applying the relevant environmental principles to situations of military occupation.

Israeli practices and their impact on the Palestinian environment

The practices of the Israeli military/authorities in the oPt are well-documented.⁵ Beyond its control over the Palestinian population, Israel's control over the oPt also includes practices tailored to control the natural environment and resources, which was further solidified after the Oslo agreement. According to the Israel-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 1995, also known as Oslo II, the oPt was to be divided into three areas: A, B, and C.⁶ The old city of Hebron was to be divided into two areas, H-1 and H-2,⁷ while Jerusalem was outright excluded from the agreements, remaining under full Israeli control. As a result of this agreement, Israel maintained control over natural resources in the oPt. Area C, for instance, which contains most of the oPt's fertile and agricultural land (e.g., the Jordan Valley) and is rich in natural resources, remained under full Israeli control. This outcome of the Oslo agreement is certainly not accidental; but is part of a calculated settler colonial vision to control the land and exclude the Palestinians. Despite the obstacles that Palestinians face to maintain their natural environment, the Palestinian domestic legal framework offers constitutional protection to the environment. Article 33 of the Palestinian Basic Law reads as "[t]he enjoyment of a balanced and clean environment is a human right. The preservation and protection of the Palestinian environment from pollution for the sake of present and future generations is a national duty."⁸ Nevertheless, translating such constitutional protection on the ground does not seem to have any future prospects in the presence of the Israeli practices. This section underlines Israeli practices concerning the natural environment in the West Bank including East Jerusalem and the Gaza Strip, respectively. Specifically, it examines the exploitation of natural resources, land contamination, and (mis) management of waste and their impact on the Palestinian environment.

⁵ See, for example, reports during the Mandate of the Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Michael Lynk (2016-present), Makarim Wibisono (2014–2016), Richard Falk (2008–2014), John Dugard (2001–2008), Giorgio Giacomelli (1999–2001); see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004], ICJ Rep 131; see NGOs reports such as B'tselem- The Israeli Information Centre for Human Rights in the Occupied Territory; Yesh Din – Volunteers for Human Rights; Palestine Independent Commission for Human Rights.

⁶ Area A includes main Palestinian cities, where Palestinians have full responsibility for internal security, public order, and civil affairs. Area B comprises the majority of the Palestinian population, where Palestinians have responsibility for civil authority and public order, while Israel has security authority. Area C includes the majority of the Palestinian land that is not heavily inhabited and the Israeli settlements, where Israel preserves full responsibility for security and public order. See Israel-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II), 28 September 1995.

⁷ Israel-Palestinian Peace Process: Protocol Concerning the Redeployment in Hebron, 17 January 1997, Art. 2

⁸ The Palestinian Basic Law as amended in 2003. Ramallah on 18 March 2003) Article 33, <https://www.palestinianbasiclaw.org/basic-law/2003-amended-basic-law>

The West Bank

Natural resources in the West Bank are endangered. The exploitation and destruction of natural resources have become a permanent Israeli policy. The ongoing destruction and exploitation further fuels the conflict, undermines the law of occupation, and deteriorates the natural environment. The Israeli authorities are destroying the Palestinian flora and fauna to expand their control over the land and its resources. Israeli military bulldozers uproot and destroy olive trees as well as other plants to build infrastructure for the settlers and enslave the Palestinians (MEM 2019). In addition, the Israeli colonisers in the West Bank frequently execute acts of violence against the local environment with impunity, often protected by the Israeli military. These actions include killing animal herds and burning or otherwise destroying plants, particularly olive trees (Hass 2018) and vines (B'Tselem 2018). In some instances, Israeli settlers systematically rob and ravage the Palestinian olive harvest (Berger 2018), which may amount to the crime of looting. Such destruction reflects acts of hatred not only against the local population, but also against the environment as a whole. The Israeli military authorities, in return, have not taken any serious measures to protect the Palestinian locals and their property. The failure of the Israeli authorities to hold the perpetrators accountable before the law undermines the rule of law, as well as international law and environmental protection standards.

The *Morar* case provides a vivid example of the failure of the Israeli Civil Administration (ICA) in the oPt, and often their unwillingness to take proper measures to protect Palestinian agricultural land against Israeli settler violence. In this case, Palestinian villagers petitioned the Israeli High Court of Justice (the Israeli Supreme Court) to challenge the decision of the Israeli military commander denying them access to their agricultural lands.⁹ The military commander claimed that the agricultural land was closed only when necessary to protect the Palestinian farmers from harassment by Israeli settlers. In response, the petitioners stated that the Israeli settlers systematically harassed and assaulted the villagers and damaged their property, namely land and trees, with limited response from the military. In fact, contrary to the respondent's claims, the petitioners argued the Israeli army has not acted to prevent this violence or taken any necessary measures to protect the local Palestinians, their land, and their plantations.¹⁰ In its ruling, the Court demanded that the military must take measures against settler violence, stating that "[t]he proper way of protecting Palestinian farmers from harassment is for the respondents [the Israeli military commander] to provide proper security arrangements and to impose restrictions on those persons [Israeli settlers] who carry out the unlawful acts."¹¹

⁹ Rashed Morar et. others v. Israeli Commander et others. Israeli High Court of Justice, HCJ 9593/04, June 26, 2006, 56.

¹⁰ Ibid, 65 & 83.

¹¹ Ibid, 56.

Although the petition was granted, Palestinian villagers and farmers across the West Bank continue to face systematic settler violence directed at their persons, land, and plantations. Notably, this violence against Palestinian land and natural environment continuously intensifies due to the *de facto* lack of protection of Palestinians and insufficient law enforcement measures against Israeli settlers.

The persistent attacks on Palestinian land are, in fact, causing excessive harm to the Palestinian natural environment, bearing in mind that they also amount to the crime of pillage. The impact of deliberate fire-setting by Israeli colonisers on the natural environment is most evident, since it is “often associated with episodes of air pollution, possibly involving the release of biogenic isoprenoid” (Alessio et al. 2004, 357). It further kills local biodiversity and pushes species out of their natural habitats. The impact of burning and destroying vegetation—of burning and uprooting trees and plants—is immense. In fact, all these actions lead to the degradation of the environment by exposing subsoil material to the surface and changing the soil structure. Uprooting trees also destroys local vegetation and demolishes natural habitats that are home to many native species (Randall et al. 1989). The perpetuation of Israeli attacks, which include uprooting, burning, and destroying farmland, would ultimately cause the irreversible destruction of the Palestinian natural environment.

Besides these acts of violence, the existence of the Israeli colonies in the West Bank further adds to these atrocities and contributes to environmental deterioration and the exploitation of natural resources. A few examples of the environmental impacts of the Israeli colonies in the West Bank are illustrated as follows:

A forest of 60,000 trees that was considered to be a rich refuge in biodiversity and the only forest in the Bethlehem Governorate was removed, as well as other native trees. Deforestation and the construction of [Israeli] settlements was a disaster for biodiversity in the region. This led to habitat degradation and species decline, which in the future may lead to the extinction of certain species. It will also increase carbon dioxide emissions [... For example,] [b]uilding the settlement of Har Homa led to the devastation of the natural landscape through the obliteration of the environment, destruction of aesthetic value, extinguishing important plant and animal diversity of biological and genetic value and destroying an important source of food. (Awad 2019, 124)

The existence of colonies does not only have a deleterious impact on the Palestinian environment and its biodiversity, it also further exploits Palestinian natural resources and accompanies the constant theft of land. The expropriation and confiscation of public and private Palestinian land—the Israeli colonisation project in the West Bank and the construction of the apartheid wall—are ongoing *de jure* policies and *de facto* practices of the Israeli government (Qandeel 2018). These practices not only disturb Palestinians and deprive them

of their own land and its revenues, but also obstruct wildlife in the area, cutting off animal migration and breeding destinations (Awad 2019).

In addition to the settlements, the construction of the Apartheid Wall (the Wall) has also had an excessive impact on the environment. Israel has constructed the 712-kilometre-long Wall around and inside the West Bank, creating detached enclaves of Palestinian communities, where “85 per cent of the planned route of the wall lies within the West Bank, and ... cut[s] off and isolate[s] 9.4 per cent of the West Bank territory.”¹² The construction of the Wall has changed the West Bank’s topography, as hundreds of thousands of productive trees have been uprooted. The Wall further separates and cuts off Palestinian access to their land under the Israeli gate and permit regime.¹³ It also creates a closed zone called a *seam zone*, where Palestinians are completely prohibited from reaching their lands and homes except with Israeli pass permits, which are often hard to obtain.¹⁴

As a result of Israel denying permits and preventing Palestinians from cultivating their land, Palestinian fertile and agricultural areas are facing desertification (Abdallah & Swaileh 2011). A study conducted by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) on the impact of the Wall on the environment reports devastating results. It found that the Wall has resulted in “land degradation, fragmentation of ecosystems, erosion and compaction of soil, heaping up of earth walls, arbitrary disposal of waste, and accumulation of dust on agricultural lands and trees... [these actions] impact the productivity of lands and often severely diminish the agricultural production and income of Palestinian farmers” (UNRWA & ARIJ 2012). The Wall also contributes to frequent flooding events, as it obstructs surface water’s the natural flow (UNRWA & ARIJ 2012). Moreover, the Wall’s presence has limited animal grazing, reduced Palestinian cultivated areas, and annexed to Israel valuable water resources, killing local biodiversity and halting animal migration (Abdallah and Swaileh 2011). In addition, the physical structure of the Wall has impacted Palestinian indigenous communities and their ability to manage their solid and sewage waste. These isolated communities behind the Wall are forced to “burn the garbage within their residential areas, releasing toxic emissions into the air and leachate into soil and groundwater” (UNRWA & ARIJ 2012). Similarly, sewage is discharged into nearby areas, causing land contamination and polluting vegetation (UNRWA & ARIJ 2012).

¹² Richard Falk, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, UN doc. no. A/HRC/25/67 (January 13, 2014), para14.

¹³ Palestinians in the West Bank, who have been surrounded by the wall, must acquire permits to access to their land and their homes. It has been reported by the United Nations that the permits are rarely granted. See Falk, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories, A/HRC/25/67; and United Nations Office for the Coordination of Humanitarian Affairs occupied Palestinian territory, 10 Years since the international court of justice (icj) advisory opinion (July 8, 2014), <https://www.ochaopt.org/content/spotlight-10-years-international-court-justice-icj-advisory-opinion>

¹⁴ Falk, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories, A/HRC/25/67, para 14.

The Israeli impact on the environment is not limited to the degradation associated with the construction of the Israeli settlements and the Wall, or the deliberate damage to and uprooting of vegetation. In fact, in addition to land confiscation, Israel is also actively engaged in exploiting other Palestinian natural resources, including water. For instance, water resources in the oPt¹⁵ are controlled by Israel.¹⁶ Palestinians have been prevented from constructing, using or maintaining any water resources without Israeli permission.¹⁷ Since 1967, Israel has distributed the available water resources for the benefit of the Israeli citizens, either in the illegal Israeli colonies in the West Bank or within recognised borders of the Green Line.¹⁸ Israel is implementing water policies with Israelis as the primary beneficiaries, following a policy where water is only for the Israelis.¹⁹ Palestinians are deprived of enjoying their own natural resources and have either limited access to water or no access at all, which has affected Palestinian agricultural and land production.²⁰ Hence, Palestinian farmers suffer from drought and water insufficiency because the distribution of water is at the discretion of Israeli military commanders. The shortages and general lack of water supply, in both quantity and quality, raises environmental concerns since it inflicts suffering on animals and damages crops.

As with water resources, Israel similarly controls and exploits the West Bank's quarry industry. Since the 1970s, the Israeli administration has permitted Israeli mining corporations to extract different types of materials, such as stone, gravel, and gypsum.²¹ 94 percent of this production goes directly to Israel.²² The exploitation of Palestinian property and the material revenue it yields has been channelled, with the approval of the Israeli High Court of Justice,²³ for the benefit of the occupier's economy—constituting, as a result, a violation that amounts to the “war crime of looting” (Ben-Naftali et al. 2018, 424). According to the Israeli human rights non-governmental organisation (NGO) Yesh Din, between 2009 and 2015, the Israeli administration received royalties from Israeli corporations worth

¹⁵ Israeli Military Order No. 2 (June 1967).

¹⁶ Israeli Military Order No. 92 (August 1967) transferred authoritative power over all water resources in the occupied territory to the Israeli military.

¹⁷ Israeli Military Order No. 157 (November 1967) prevents Palestinians from constructing their own water installations and conducting maintenance.

¹⁸ Human Rights Council, “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the Occupied Syrian Golan,” UN doc. No. A/HRC/31/43, January 20, 2016; for information on the green-line, see the General Armistice Agreements (GAAs) were signed between Israel and four Arab states, Egypt, Jordan, Lebanon and Syria.

¹⁹ UNCTAD, “Report on UNCTAD assistance to the Palestinian people, TD/B/EX (68)/4, para 32.

²⁰ Ibid, para 32.

²¹ Yesh Din-Volunteers for Human Rights v. Commander of IDF Forces in the West Bank. Israeli High Court of Justice, HCJ 2164/09, December 26, 2011, (English translation by Yesh Din).

²² Yesh Din, “The Great Drain: Israeli quarries in the West Bank: High Court Sanctioned Institutionalized Theft - position paper,” *Yesh Din*, September 14, 2017, 7-9., <https://www.yesh-din.org/en/great-drain-israeli-quarries-west-bank-high-court-sanctioned-institutionalized-theft/>

²³ Yesh Din- Volunteers for Human Rights v. Commander of IDF Forces in the West Bank (2011).

over 285 million shekels (73 million Euro) from their quarries in Area C in the West Bank (Yesh Din 2017). Yesh Din petitioned the Israeli Supreme Court, demanding the full cessation of mining and quarrying by Israeli corporations in the West Bank.²⁴ It argued that the mining violates international legal provisions, including Article 55 of the Hague Regulations (see section iii.a), and amounts to the crime of pillage (Yesh Din 2017). The Court denied the petition, legitimising the exploitation of Palestinian resources and allowing the looting to continue.²⁵ This looting has led to the exhaustion of these resources and dramatically changed the landscape.²⁶ The minerals of the Dead Sea are also facing the same act of looting. In the Dead Sea area, Israel excessively extracts the mud and other related raw materials for its domestic use and for export to the international market²⁷ (Nicoletti and Hearne 2012). The exploitation of minerals has led to the continuous shrinking of the Dead Sea, which is expected to eventually disappear.

Israel's exploitation of natural resources in the oPt for its own use contradicts its legal responsibilities as an occupying power. The United Nations (UN) Special Rapporteur Michael Lynk states that:

For the almost five million Palestinians living under occupation, the degradation and alienation of their water supply, the exploitation of their natural resources and the defacing of their environment is symptomatic of the lack of any meaningful control they have over their daily lives as Israel, the occupying power, exercises its military administrative powers in a sovereign-like fashion, with vastly discriminatory consequences.... the Israeli occupation – with its appetite for territory and settlement-implantation, and its sequestration of natural resources – has become virtually indistinguishable from annexation.²⁸

Land contamination and waste mismanagement represent further environmental challenges in the oPt. Many Palestinian areas in the West Bank near to Israeli illegal colonies have become swamped with Israeli sewage. Israeli sewage and wastewater are channelled towards the Palestinian areas, killing biodiversity and natural life (ARIJ 2020). Unregulated waste and sewage disposals into Palestinian villages (Al-Butmeh et al 2019) have contributed to disproportionate land and air pollution, extinguishing plant and animal diversity. Beside sewage, Israel is also dumping its waste and garbage into the oPt, treating "the territory as its own in that it does not [even] seek the consent of the Palestinian Authority in order to dispose of waste."²⁹

²⁴ Ibid, 5.

²⁵ Ibid.

²⁶ Ibid, 4.

²⁷ Human Rights Council, "Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967," UN doc. A/HRC/40/73, March 15, 2019, para 58.

²⁸ Human Rights Council, "Report of the Special Rapporteur, A/HRC/40/73, 2019, para 27.

²⁹ Human Rights Council, "Report of the Special Rapporteur, A/HRC/40/73, 2019, para 61.

There are at least 15 Israeli waste treatment facilities³⁰ located in the West Bank, including the Jordan Valley (Aloni 2017), where Palestinian land is exploited to process Israeli hazardous material and waste, such as hazardous pollutants, batteries, and infectious medical waste.³¹ According to B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, “[out of 15 waste facilities, 6] of the facilities handle hazardous waste which requires special processes and regulatory supervision due to the dangers it poses, including toxicity, mutagenicity (carcinogenicity), infectiousness, flammability and combustibility” (Aloni 2017, 7). However, under the assumption that the West Bank is within its territory and at its convenience, Israel has not established environmental regulations in these areas. Thus, dumps and waste facilities in the oPt are located beyond the applicability of Israeli environmental law. In other words, Israel has designated areas in the West Bank as a disposal zone, deviating from the high cost of complying with the Israeli environmental regulations and creating a sacrifice zone in the West Bank. These Israeli waste facilities and hazardous waste dumping into the West Bank would “result in health hazards and pollution, including harm to open spaces; water, air and ground pollution; noise and dust nuisance; visual pollution and pests” (Aloni 2017, 5)

From a legal point of view, Israeli military commanders are obligated under international law to prevent Israeli acts of waste and sewage dumping and to protect the health and hygiene of the local population. This is a well-established obligation under Article 56 of the Fourth Geneva Convention (GC IV).³² Nevertheless, nothing could be found protecting Palestinians and preserving their environment against harm. On the contrary, although Israel has 48 environmental laws,³³ none are applied to regulate Israel’s conduct and protect the natural environment in the oPt—at least, not where it concerns the Palestinians. The absence of environmental regulations and disregards of international law, one may argue, is designed to allow Israel to exploit the natural environment

³⁰ These facilities and their locations are listed in the report’s Appendix: Israeli waste treatment facilities in the West Bank (including areas annexed to the Jerusalem municipality). According to Appendix, the list of 14 facilities is as follows: 1. Eco Medical Ltd. in Ma’ale Efrayim Industrial Zone (sontaminated medical waste and biological waste), 2. Green Oil Energy Ltd. in West Ariel Industrial Zone (used oil waste and hazardous waste), 3. EMS Refiners of Precious Metals Inc. in Shilo Industrial Zone (electronic waste, batteries, and hazardous materials containing metals; hazardous waste), 4. MTA Recycling Technologies Ltd. in Mishor Adumim Industrial Zone (solvent waste and hazardous waste), 5. Compost Or Factory Ltd. in northern Jordan Valley (sewage sludge), 6. Tyrec Tire Recycling Industries in Shahak Industrial Zone (used tires), 7. Polcom in Kedumim Industrial Zone (hazardous waste packaging and hazardous waste), 8. All Recycling in Barkan Industrial Zone (electronic waste and hazardous waste), 9. Talus in Meitarim Industrial Zone (used oils and hazardous waste), 10. RA Ofek in Atarot Industrial Zone (transfer station and construction waste recycling), 11. Green Danlop in Atarot Industrial Zone (transfer station and construction waste recycling), 12. Zmora in Atarot Industrial Zone (excess soil disposal and treatment), 13. Green Netin Atarot Industrial Zone (mixed urban waste), and 14. Elidori in Ma’ale Amos Industrial Zone (construction waste).

³¹ Human Rights Council, “Report of the Special Rapporteur, A/HRC/40/73, 2019, para 61.

³² Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, 18 October 1907, (The Hague Convention IV of 1907), Article 56.

³³ See list in Hebrew at: <https://www.gov.il/he/departments/legalinfo?OficId=7807091f-2385-4915-b1c1b-fd4db6d2c1cc&skip=0&limit=10>. A few laws are available in Arabic and English.

and resources in the oPt uninterrupted. As outlined later in this chapter, more efforts should be made to hold Israel accountable to international law.

The Gaza Strip

Since Israel occupied the oPt, the Gaza Strip has also faced environmental destruction. The Gaza Strip has been under Israeli air, land, and sea blockade since 2005, following the Israeli disengagement plan. Despite pulling its troops out of Gaza, Israel is, in fact, still the occupying power. As a result, the Strip continues to suffer the horrific consequences of Israeli transgressional policies and practices against Palestinians and their environment. Natural resources, including water, gas, and marine resources, within and surrounding Gaza, are all controlled by Israel.

With respect to water, there is an extreme shortage of available water resources in the Strip due to Israeli policies of “withholding and altering normal [water] flows of places like Wadi Gaza... [placing] huge pressure on the coastal aquifer system.”³⁴ Israel’s control over water resources interrupts the water flow into the Strip, causing a shortage of water and forcing Gazans to over-exploit the coastal aquifer. Yet, the coastal aquifer system has been contaminated with seawater and sewage water, which amplifies the environmental and health hazards in the Strip (WBB 2016). This contamination, it is important to note, is the outcome of two interrelated factors. First, the destruction of basic infrastructure as a result of continuous Israeli aggression on the Gaza Strip: water infrastructure, including groundwater wells, wastewater treatment plants, pumping stations, and desalination plants have been damaged during Israeli attacks, posing an environmental threat.³⁵ The second factor is the restrictions on the entry of materials and technology needed for wastewater treatment and rebuilding of infrastructure due to the Israeli blockade. As a result, the Strip’s sewage is discharged untreated, penetrating aquifers and flowing into the Mediterranean Sea³⁶ with no foreseeable possibilities of properly preserving the aquifers and seawater³⁷ (see Hallowell et al 2017).

Facing continuous destruction by Israel, waste management in the Gaza Strip needs constant reconstruction, which is not possible without required materials and suitable expertise. Although they may be willing, Gazans therefore are unable to save their natural environment due to belligerent Israeli occupation. This situation further hinders Palestine’s ability to fulfil its environmental obligations under several multilateral treaties. Notably, the dumping of

³⁴ State of Palestine, 5th National Report to the Convention on Biological Diversity (2015), 4.

³⁵ United Nations Environment Programme, Environmental Assessment of the Gaza Strip: following the escalation of hostilities in December 2008-January 2009, DEP/1190/GE (2009).

³⁶ Human Rights Council, “Report of the Special Rapporteur, A/HRC/40/73, 2019, para 54.

³⁷ Ibid, para 53.

untreated sewage damages marine life, destroys biodiversity, causes damage to seawater and seabed, and contaminates the land.

In addition to the collateral environmental damage as a direct result of the continuous blockade and destruction of infrastructure, the Gaza Strip suffers another type of contamination specifically related to the methods used during Israel's military activities. For example, the tons of explosive that the Israeli military dropped on the Strip during the different attacks have resulted in extensive soil damage and land contamination. In 2014, during Operation Protective Edge, it was estimated that the Israeli military dropped some 20,000 tons of explosives on the Gaza Strip (Omer 2015, 262), which are equivalent to six nuclear bombs (MEM 2014). The toxic materials in the explosives, it is reported, cause a severe harm to human health and the natural environment (Stucki 2004), persisting long-term in soil, plants, and air (Lewis et al. 2004). Such serious impact demands a strict legal framework to regulate the use of excessive amounts of explosives, not only for humanitarian but also environmental reasons.

The use of hazardous methods is not unique to active military confrontation. In fact, Israel contaminates Palestinian farmlands on a regular basis. Under the pretext of security, Israel has created what it calls a *buffer zone* to separate the Strip from its surrounding land, which is declared a "no go" military zone. Approximately 35 percent of the Strip's fertile farmland falls under the Israeli-enforced buffer zone (PCHR 2015). As a result, Palestinian landowners have lost their ability to cultivate their own land and care for their plants. In addition, the Israeli military frequently releases dangerous herbicides,³⁸ destroying agriculture, harming vegetation, and killing biodiversity in the Gaza Strip. The Israeli use of aerial herbicides as a means of warfare against the Gaza Strip inflicts severe damage on crops, agriculture, land, and groundwater. In some instances, Israel has admitted to using chemical agents, including glyphosate, claiming that spraying herbicides near the Gaza fence was intended to clear the terrain.³⁹ The use of herbicides as a means of war has been rejected by the international community and its prohibition is embodied in the customary rules of war (Henckaerts & Doswald-Beck 2005). These chemical agents have toxic "effects on microbial compositions and potential indirect effects on plant, animal and human health" (Van Bruggen et al. 2018, 255).

It is important to note that environmental degradation does not distinguish between or respect frontiers; it has transboundary effects on nature. The use of chemicals agents, the destruction of nature, waste dumping, and untreated sewage disposal, land contamination, and exploitation of natural resources by

³⁸ Human Rights Council, "Report of the Special Rapporteur, A/HRC/40/73, 2019, para 12.

³⁹ See letter regarding chemical agents spraying, sent on 7 January 2019 by human rights organisations (Al Mezan Center for Human Rights in Gaza, Gisha – Legal Center for Freedom of Movement, and Adalah - The Legal Center for Arab Minority Rights in Israel) to Israeli Prime Minister Binyamin Netanyahu in his role as Minister of Defence, Military Advocate General Adv. Sharon Afek, and Attorney General Dr. Avichai Mandelblit, available at: <https://www.adalah.org/en/content/view/9667>.

Israel raise serious concerns, both from environmental and legal perspectives. The legal implications of these practices under the principles of international law in general, and International Humanitarian Law in particular, are examined in the following section on the legal framework of environmental protection.

The normative framework: The legal protection of the environment

In the modern laws of armed conflict, the legal provisions protecting the environment are very few. As a general principle, *jus in bello* limits the discretion of the conflicting parties in choosing the methods of warfare, in order to minimise unnecessary suffering. The rules of belligerent occupation are set forth in customary and humanitarian treaty law, including the Hague Conventions of 1907 and the Geneva Conventions of 1949, respectively. An exiguous number of provisions have sought to place boundaries on the damage inflicted on the environment during armed conflicts and military occupation. It is possible that the environment might fall under the category of “civilian object”; if so, then it is protected as a civilian property. Further principles established within customary IHL obligate states to reconsider their military activities and attacks in order to preserve the environment. These principles include proportionality, distinction, precaution, and a prohibition on the infliction of unnecessary suffering.

The situation of prolonged military occupation discernibly entails the distinctive development of armament techniques and military conduct, which coincides with increased damage to the locals and their environment in the occupied territory. International law sets no time limits on military occupation. Ostensibly, it has not foreseen a permanent or long-term occupation. Occupation is presumed to be temporary and limited, where the occupying power performs its power and responsibility as a trustee under the old and modern IHL provisions.⁴⁰ Israel’s long-term occupation has gradually affected the environment and contributed to its degradation, as established earlier in this chapter. This section will examine the relevant international provisions and rules under which the environment might be protected.

Since the Israeli long-term occupation of Palestine is governed by the provisions of international law, particularly IHL and the law of belligerent occupation, the focus in here will be on these international provisions. Questions of whether the occupying power is obligated to protect the environment in the

⁴⁰ See Article 31 of Instructions for the Government of armies of the United States in the Field (Prepared by Francis Lieber and promulgated as General Order No. 100 by President Abraham Lincoln, 24 April 1863; see Article 52 of Project of an International Declaration concerning the Laws and Customs of War, Brussels, 27 August 1874; see also Article 52 of The Laws of War on Land, Oxford, 9 September 1880.

occupied territory under the principles of IEL are not within the scope of this chapter. The discussion in this section will engage with both the Israeli military conduct and colonisers' violence, since both actors have contributed to environmental degradation and led to disastrous consequences.

The argument in this section will unfold as follows. First, the relevant customary principles of IHL will be examined with a focus on the Hague Regulations of 1907 and the International Committee of the Red Cross (ICRC) customary rules. Second, the relevant provision articulated in the Fourth Geneva Convention of 1949 that may provide for environmental protection will be discussed. The third section will briefly clarify the main Articles of the Additional Protocol I and the ENMOD vis-à-vis the protection of the environment in armed conflicts. Although Israel has not ratified these two instruments, they are examined in order to enrich the discussion related to the customary rules applicable to the Palestinian environment. The fourth section will analyse the general principles of international law regarding the environment, focusing on the Rio Declaration on Environment and Development and supported by United Nations resolutions and ICJ decisions. The Draft International Covenant on Environment and Development is also reflected upon in relation to the importance and necessity of protecting the environment in armed conflict. These general principles are considered here since they reflect international community consensus on the need to protect the environment in situations of war, armed conflict, and military occupation.

The Hague Regulations of 1907 and customary international humanitarian law

The Hague Convention IV Respecting the Laws and Customs of War on Land of 1907 (the Hague Convention IV) includes two environmental provisions, Article 47 and Article 55. According to Article 47, "[i]t is especially forbidden... (g) [t]o destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war..."⁴¹, and [p]rivate property cannot be confiscated."⁴² In addition, Article 47 states that "[p]illage is formally forbidden."⁴³ The protection coverage of these Articles extends to public and private property—moveable and immovable—against destruction or seizure, where a strict exception might be applied if imperative military necessity requires. As a principle, military necessity "prohibits destructive or harmful acts that are unnecessary to secure a military advantage. In fact, it is well settled that a violation of the principle can constitute a war crime" (Low

⁴¹ The Hague Convention IV of 1907, Art. 23 (g).

⁴² Ibid, Art. 46.

⁴³ Ibid, Art. 47.

& Hodgkinson 1995, 52). Alternatively, military necessity must be crucial and imperative in order to justify an attack. In these scenarios, the attacker must assess the necessity of the attack to gain the military advantage in relation to the harm caused, specifically the principle of proportionality. Most importantly, the protection against seizure and use of the occupied property is the stringent exception that must not be applied as a rule. However, the vague boundaries of the military necessity concept and other IHL principles give the attacker the full discretion to assess attacks, expropriation of property, or exploitation of natural resources. This results in an arbitrary assessment justified by necessity. The unlimited discretion creates complications in the feasibility of implementing the aforementioned provisions to properly protect the environment and hold parties accountable for the breach of IHL.

Article 55 of the Hague Convention IV explicitly limits the role of the occupying state in the occupied territory to “only [act] as administrator and usufructuary of ... forests, and agricultural estates ... situated in the occupied country.”⁴⁴ Undoubtedly, the Article extends to the property and natural resources of the occupied people. It requires Israel, the occupying power in Palestine, to refrain from exploiting the property and natural resources of Palestinians. Israel may be only allowed to use them in a way that justifies military necessity for a temporary period of time. Although these provisions do not explicitly protect the environment, they do make the point that, under the general rule, the environment must be protected by the occupying power, who is the administrator with usufruct rights. Environment and natural resources must not be used as a means to cause harm to the local population and their lives; to benefit the occupying power legally, politically, socially and economically; or to damage the biodiversity of the occupied land, from an environmental perspective. Therefore, the Israeli exploitation of Palestinian natural resources, including water and quarrying resources, for the benefit of Israel and its economy is absolutely forbidden.

The customary rules of IHL include three main environmental provisions/rules: 43, 44, and 45.⁴⁵ Rules 43 and 44 provide for relatively comprehensive environmental protection. Rule 43 establishes due regard for the natural environment in a military operation and a general prohibition to harm the natural environment unless it is a military objective or for an imperative military necessity (Henckaerts and Doswald-Beck 2005). Rule 44 states that:

⁴⁴The Hague Convention IV of 1907, Art. 55. Additional provisions may apply, Article 56 states: “[t]he property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property. All seizure of, destruction or willful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings.

⁴⁵Within its assigned mandate, the International Committee of Red Cross prepared the customary rules of international humanitarian law, clarifying their meaning and significance coded in Henckaerts and Doswald-Beck, Customary International Humanitarian Law (2005).

[m]ethods and means of warfare must be employed with due regard to the protection and preservation of the natural environment. In the conduct of military operations, all feasible precautions must be taken to avoid, and in any event to minimize, incidental damage to the environment. Lack of scientific certainty as to the effects on the environment of certain military operations does not absolve a party to the conflict from taking such precautions. (Henckaerts & Doswald-Beck 2005, 147)

Rule 44 articulates the general principle of precautionary measures in the conduct of hostilities to protect and preserve the natural environment. It reflects the precautionary approach that must be considered in order to spare civilians and civilian objects. The prohibition of excessive destruction of the environment and natural resources are articulated to reflect the necessity of protecting the natural environment. The general requirement is to take constant care to avoid or minimise unexpected damage and unnecessary harm to civilians, civilian objects, and the natural environment. These precautionary measures obligate states to assess the damage arising from attacks (Robinson & Nohle 2016). The precautionary measures are fundamental for the protection of the environment against damage and destruction. Incongruously, the parties have the discretion to assess and decide whether an attack or military activity is based on military necessity, and to determine whether the precautionary measures were properly assessed. For that reason, these provisions easily open up possibilities for misuse and arbitrary practice. This weakens the general environmental protection and the compulsion to prevent any harm or destruction.

Rule 45 completes the customary provisions concerning environmental protection. It states that “[t]he use of methods or means of warfare that are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment is prohibited. Destruction of the natural environment may not be used as a weapon” (Henckaerts & Doswald-Beck 2005, 151). The terms “widespread”, “long-lasting”, and “severe” have not been explicitly defined in any convention. Nevertheless, regarding the understanding of the meaning of such a threshold, the Committee on Disarmament states that the terms shall be interpreted as “(a) “widespread”: encompassing an area on the scale of several hundred square kilometres; (b) “long-lasting”: lasting for a period of months, or approximately a season; (c) “severe”: involving serious or significant disruption or harm to human life, natural and economic resources or other assets.”⁴⁶

Although the Committee provides an initial understanding of the three requirements, the threshold of the three cumulative elements remains high and, on the ground, implementation remains problematic. In other words, the thresholds of these three accumulative conditions might be hard to reach in one single attack or military activity. Thus, the legal dilemma of protecting the environment against harm, damage, and destruction remains incomprehensible

⁴⁶United Nations General Assembly, Report of the Conference of the Committee on Disarmament, volume I, 31st session, no. 27, UN doc. A/31/27 (1976).

under the customary provisions of IHL. Within the context of the oPt, it could be argued that Israeli practices against the Palestinian natural environment fall under the threshold of Rule 45, as they are widespread, long-lasting, and severe. Nevertheless, it might be challenging to demonstrate that these three components are cumulatively present in one specific event or occasion. The application, hence, must consider all Israeli practices in both the West Bank and the Gaza Strip combined.

The Fourth Geneva Convention of 1949 (GC IV)

The GC IV, in most of its parts, reflects the customary provisions of IHL. Despite Israeli denials of the applicability of the Geneva Conventions of 1949, the international community, including the ICJ,⁴⁷ the ICRC,⁴⁸ and the UN,⁴⁹ are of the opinion that the Geneva Conventions do apply to the oPt. This paper takes the position that the Geneva Conventions are indeed applicable to the oPt, for two reasons. First, Israel ratified the four Geneva Conventions on 6 July 1951, and therefore Israel is a state party to these conventions. Second, according to the first paragraph of Article 2 of the Fourth Geneva Convention, the two requirements are met, namely the existence of an armed conflict and that the conflict has arisen between two contracting parties. On that matter, the ICJ states that “the [Geneva] Convention applies, in particular, in any territory occupied in the course of the conflict by one of the contracting parties[, as] [t]he object of the second paragraph of Article 2, which refers to ‘occupation of the territory of a High Contracting Party’, is not to restrict the scope of application of the Convention ... but simply to making it clear that, even if occupation effected during the conflict met no armed resistance, the [Geneva] Convention is still applicable”⁵⁰

Although the GC IV does not explicitly or directly protect the environment, a few provisions concerning the protection of property and public health in an occupied territory could be extended and utilised to also protect the environment and natural resources, namely Articles 33, 53, and 56. The GC IV, in its Article 33, reinforces the provision of Article 47 of the Hague Convention IV by reaffirming

⁴⁷ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion), [2004] ICJ Rep 131, para 95.

⁴⁸ International Committee of the Red Cross (ICRC), “Implementation of the Fourth Geneva Convention in the Occupied Palestinian Territories: History of a Multilateral Process (1997-2001),” *International Review of the Red Cross* 847 (2001), para 2.

⁴⁹ United Nations Security Council Resolution 237 (1967), UN doc. S/RES/237 (1967) June 14, 1967; United Nations Security Council Resolution 446 (1979), UN doc. S/RES/446 (1979, March 22, 1979; United Nations Secretary-General, Report on Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories, A/71/321, August 9, 2016).

⁵⁰ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion), [2004], 8.

the prohibition of pillage and reprisals against protected persons and their property.⁵¹ Article 33 reads, "Pillage is prohibited. Reprisals against protected persons and their property are prohibited."⁵² The prohibition in this Article is a general one, which means that there are no exceptions, under any circumstances. This prohibition under Article 33 "concerns not only pillage through individual acts without the consent of the military authorities, but also organized pillage, the effects of which are recounted in the histories of former wars, when the booty allocated to each soldier was considered as part of his pay."⁵³ In this sense, any attacks on or acts of pillage against the environment, either committed by Israeli military or Israeli colonisers as an act of pillage or reprisal, are prohibited. Under GC IV, the measures of intimidation aimed at terrorizing the population are prohibited.⁵⁴ Israel's military and colonisers' attacks against the Palestinian environment aim to inflict suffering on locals and exploit their natural resources to economically and politically benefit the occupying power. They are therefore prohibited. Israeli practices of uprooting and burning trees, dumping waste and sewage, spraying toxic herbicides, and exploiting natural resources in the oPt constitute acts of reprisal, and are therefore prohibited.

In line with Article 33, the UN General Assembly (UNGA) resolution 1803 (XVII) of 1962 explicitly prevents the exploitation of natural resources. It states that "7. [v]iolation of the rights of peoples and nations to sovereignty over their natural wealth and resources is contrary to the spirit and principles of the Charter of the United Nations and hinders the development of international co-operation and the maintenance of peace."⁵⁵ Within the Palestinian context, the ongoing exploitation of the Palestinian natural resources and resulting environmental damage and destruction deprive Palestinians of the ability to maintain their own environment. Likewise, the UNGA stresses that "the destruction of the environment, not justified by military necessity and carried out wantonly, is clearly contrary to existing international law."⁵⁶ This resolution is of significance within the context of the environment and armed conflicts or military occupation. In *the Nuclear Weapons* case, the ICJ reaffirms that the resolution establishes that environmental considerations constitute a vital element in the implementation of the laws of war.⁵⁷ It has been established that the destruction of the environment, wantonly executed or unjustified by imperative military necessity, is prohibited under the rules

⁵¹ Convention (IV) relative to the Protection of Civilian Persons in Time of War. 12 August 1949, Geneva, (The Geneva Convention IV of 1949), Art. 33.

⁵² *Ibid.*

⁵³ Jean Pictet, IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War: Commentary (Geneva: international Committee of the Red Cross, 1958), 226.

⁵⁴ Pictet, IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 226.

⁵⁵ United Nations General Assembly, Permanent sovereignty over natural resources, Resolution 1803 (XVII), 17th session, December 14, 1962, 7.

⁵⁶ United Nations General Assembly, Protection of the environment in times of armed conflict, Resolution A/RES/47/37, 47th session, February 9, 1993.

⁵⁷ Legality of the Threat or Use of Nuclear Weapons, [1996], para 32.

of customary law.⁵⁸ Accordingly, the environment in the oPt is protected and must not be subject to Israeli exploitation and destruction.

Article 53 of GC IV states that “[a]ny destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organisations, is prohibited, except where such destruction is rendered absolutely necessary by military operations.”⁵⁹ In order to link Articles 33 and 53, note that prohibition of the environment, land, water, plants and other natural recourse are considered to be either private or public property. Analogically, environmental protection applies to public and private properties owned by Palestinians, which fall under the provisional protection of Article 53. It is the trustee’s responsibility (i.e., the occupier) to safeguard the environment and natural resources – and their capital – for the benefit of the local Palestinian population. Likewise, Article 56 of GC IV also states that “the Occupying Power has the duty of ensuring and maintaining ... public health and hygiene in the occupied territory...”⁶⁰ It is the occupier’s responsibility to refrain from and prevent damages done to the environment, which affects the health and hygiene of the locals. Waste and sewage dumping, herbicides, explosives, and exploitation of natural resources, as stated above, have serious implications for the environment and, hence, for human health. The GC IV, however, has also fallen short of appropriately protecting the environment because there is no explicit rule protecting the environment against damage or harm.

Additional Protocol I and the ENMOD

The environment is partially safeguarded in a few provisions of the Additional Protocol I (AP I) to the Geneva Conventions. However, its protection is poorly regulated due to ambiguously formulated language. The AP I prohibit causing widespread, long-term, and severe damages to the natural environment during the conduct of hostilities.⁶¹ Article 35 reflects this basic rule, whereas Article 55 identifies the protection of the natural environment. Article 35 prohibits the employment of methods, which are intended or expected to cause “widespread, long-term and severe damages to the natural environment.”⁶² Article 55 emphasises the protection of “the natural environment against widespread,

⁵⁸ Yoram Dinstein, *The Conduct of Hostilities under the Law of International Armed Conflict*, 3rd ed. (UK: Cambridge University Press, 2016), 10; Henckaerts and Doswald-Beck, Customary International Humanitarian Law, Rules 43, 44 and 45, 143-158.

⁵⁹ The Geneva Convention IV of 1949, Art. 53.

⁶⁰ Ibid, Art. 56.

⁶¹ Protocol Additional I to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts, 8 June 1977, (Protocol Additional I of 1977), Arts. 35(3) and 55; Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, United Nations General Assembly Resolution 31/72 (December 10, 1976).

⁶² Ibid, Art. 35.

long-term and severe damage.”⁶³ Similar to the customary Rule 45, three conditions are set up in these two Articles for environmental protection under the AP I. As indicated by the use of “and” in the text, the damage must be, 1) widespread, 2) long-term, and 3) severe, where these three elements are enumerated accumulatively (Bothe et al. 2010). In other words, the Articles have set a high threshold, which is “particularly problematic” (Schmitt 1997, 71). Israel is a not state party to AP I.⁶⁴ Nevertheless, the same meaning has been codified as a customary norm in Rule 45, which is applicable to the oPt within the threshold of the three accumulative conditions.

With such high threshold, these provisions are “excessively restrictive, making the prohibition much too narrow ... [also] the exact scope of this prohibition remains uncertain, and thus difficult to implement or enforce” (Bothe et al. 2010, 576). In other words, this threshold may not be reached in conventional warfare (Bothe et al. 2010) where IHL is respected. Chemical warfare could reach such a threshold—but only if it causes widespread, long-term, and severe damage to the environment. In this case, the environment and natural resources remain endangered and lack proper legal protection. These Articles seem intended not to be preventive, which means that the law is not applied until damage has already occurred. At the point where widespread, long-term, and severe damage is already caused to the environment, then the law might be deployed. In this case, the law does not protect the environment as such, but may trigger criminal responsibility and claims for reparation.

In 1976, the international provisions within IHL witnessed a minor improvement. The United Nations Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques (the ENMOD) regulates the use of environmental modification techniques in war and armed conflicts as a means of harm. In its Article I, ENMOD prohibits state parties from engaging in the use of environmental modification techniques as a means of destruction that inflicts widespread, long-term, or severe damages.⁶⁵ Unlike the AP I, the ENMOD has slightly eased the conditions that apply to the international protection of the natural environment by using “or” in the text, which indicates that the conditions are alternatives. This means that the occurrence of any one condition is sufficient to place the environment under IHL protection. The ENMOD has lowered the threshold of the conditional criteria, making possible its application to environment destruction. Similar to AP I, the ENMOD has not been ratified by Israel and, thus, is not applicable to the oPt. Although it still sets a high threshold for applying environmental protection, the ENMOD can help

⁶³ Ibid, Art. 55.

⁶⁴ See United Nations Treaty Collection, Convention on the Prohibition of Military or any other Hostile use of Environmental Modification Techniques of 1976, State parties, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVI-1&chapter=26&clang=_en

⁶⁵ Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques of 1976, Art. I.

in identifying the shortcomings of treaties. For example, the threshold can be minimised to offer additional environmental protection in situations of military occupation and armed conflict. The current formation of ENMOD still does not adequately protect the environment against harm. Thus, the lower threshold in ENMOD is insufficient, as it still refers to vague and unidentified conditions.

General principles of international law

Seeing the protection of the environment solely from an IHL perspective does not offer an appropriate and full picture. Hence, considering IHL as *lex specialis* is inadequate to finding a sufficient legal solution⁶⁶ for the issues of the Palestinian environment under the Israeli military occupation. In order to legally navigate the protection of the environment under military occupation and assuming that the provisions of IHL do not stand alone, the applicable and complementary customary rules and general principles of international law must also be considered. The norms of customary international law applicable to armed conflicts have a vital role in protecting the environment and prohibiting its destruction. Customary international law remains applicable during armed conflicts (Birnie et al. 2009, 206). It is applicable in occupied Palestine and continues to protect the environment under the Israeli military occupation.

An example of this customary norm is the Martens Clause. Set out in 1977 Additional Protocol II, it recalls that, in cases not covered by law in force, the human person remains under the protection of the principles of humanity and the dictates of the public conscience. The Martens Clause is a recognised international customary norm under IHL and applies to all states. Importantly, it has a potential application to the issue of environmental protection in situations of armed conflict and belligerent occupation. The Martens Clause was first stated in the Preamble of the 1899 Hague Convention, which reads “[u]ntil a more complete code of the laws of war is issued, the High Contracting Parties think it right to declare that in cases not included in the Regulations adopted by them, populations and belligerents remain under the protection and empire of the principles of international law, as they result from the usages established between civilised nations, from the laws of humanity, and the requirements of the public conscience.”⁶⁷

The deployment of the Martens Clause to environmental protection in armed conflict has been recognised by the International Law Commission (ILC) in 2019.⁶⁸ Principle 12 in the ILC report states that “[i]n cases not covered by international

⁶⁶ International Law Commission, “First report on protection of the environment in relation to armed conflicts by Marja Lehto, Special Rapporteur”, 17th session, UN doc. A/CN.4/720, April 30, 2018, para 57.

⁶⁸ International Law Commission, Chapter VI: Protection of the environment in relation to armed conflicts, UN Doc. no. A/74/10, 209-296, 212.

agreements, the environment remains under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience.”⁶⁹ Under this principle, the Martens Clause may be applied to the environment whenever a legal rule has not yet been adopted. It thus may be foreseeable to apply the Martens Clause principle to protect the Palestinian environment under Israeli occupation.

According to this understanding, the environment in the oPt is protected under the general humanitarian rules, whenever treaties do not offer protection. In this respect, the protection of the environment can also be seen as a peremptory norm (*jus cogens*), a norm under which no derogation is permitted. Therefore, even in the absence of Israeli regulations and the failure of Israeli governments to ratify relevant treaties, the environment in Palestine is (in principle) protected under international law. It remains questionable, however, whether rules and restrictions under international humanitarian law are sufficient to protecting the environment (Bothe et al. 2010). The doubt here refers to the fact that IHL provisions, as previously discussed, do not explicitly and rigidly protect the environment. There are very few provisions protecting the environment and those that exist are expressed in vague and weak language. As a result, debates arose on the need for a new international instrument under IHL that properly protects the environment in times of war, armed conflict, and military occupation. These debates, nonetheless, were confronted by powerful military actors (Bothe et al. 2010).

There are two main instruments that focus on the environment in armed conflicts, which are worth paying attention to: the Principles of the Rio Declaration on Environment and Development of 1992 (the Rio Declaration) and the Draft International Covenant on Environment and Development of 2015. These two instruments are considered here in order to identify how general IEL provisions on IEL could help in filling the gap left by IHL provisions with respect to the environment. The two instruments are the only existing frameworks that explicitly discuss the environment under belligerent occupation. The Rio Declaration is not yet considered as a customary norm, although it is the most representative instrument governing the environment (Viñuales 2015). It is likely that the Declaration will evolve to constitute a legally binding customary norm. The principles of the Declaration are considered to be the cornerstone of environmental protection and offer specific guidance on the prevention of environmental harm in armed conflict (Viñuales 2015). They include important and concise provisions concerning the environment under occupation and/or oppression, such as Principles 2, 23, and 24. Therefore, they may be applied to protect the environment in the oPt from Israeli exploitation and destruction.

Principle 2 emphasises States’ responsibility to “ensure that activities within their jurisdiction or control do not cause damage to the environment

⁶⁹ Ibid, 212.

of other States or of areas beyond the limits of national jurisdiction.”⁷⁰ Within this, the principle of prevention is an important component of environmental protection (Duvic-Paoli and Viñuales 2015). In this sense, since the oPt is under effective Israeli control,⁷¹ any conduct that harms the Palestinian environment, whether committed by the Israeli military or the Israeli colonisers, constitutes a breach of the Rio Declaration. In addition, Principle 23 remarkably states that “[t]he environment and natural resources of people under oppression, domination and occupation shall be protected.”⁷² Within the meaning of Principle 23, the environment and natural resources of the Palestinian people are protected against any harm, destruction, or damage. Strictly speaking, land, water, and air in the oPt all fall under Principle 23 provisions and enjoy its protection. Principle 23 does not provide a clear and precise vision of how the environment and natural resources of people under occupation should be protected. Nevertheless, it grants the environment under military occupation a distinctive and special status, bringing attention to the need for legal protection. This awarded special status extends the application of all other Rio Declaration principles; certainly Principle 2 concerning the environmental protection beyond the limits of national jurisdiction. It is worth noting in here that the Principle 23 provision might be seen to have a similar approach as those of Article 47 of the Hague Convention, Article 33 of the GC IV, and UNGA resolution 1803 (XVII) on permanent sovereignty over natural resources (Tignino 2015).

Furthermore, Principle 24 of the Rio Declaration points out the importance of environmental protection during armed conflicts because of their catastrophic magnitudes. It states that “[w]arfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.”⁷³ Principle 24, to a great extent, reaffirms the aforementioned articles of the Hague Conventions IV, the GC VI, the AP I, and the ENMOD, as well as the general principles of customary international law. The obligation of states to make environmental considerations and assess necessity and proportionality in the conduct of their military activities is enhanced by Principle 24 of the Rio Declaration. The ICJ reaffirmed this obligation, supporting the rule with a full-text citation.⁷⁴

⁷⁰ United Nations General Assembly Report of the United Nations Conference on Environment and Development, (Rio Declaration on Environment and Development of 1992), UN doc. A/CONF.151/26, Vol. I, (August 12, 1992), Principle 2.

⁷¹ *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004]; Richard A. Falk; Burns H. Weston, “Relevance of International Law to Palestinian Rights in the West Bank and Gaza: In Legal Defence of the Intifada,” *Harvard International Law Journal* 32, no. 1 (Winter 1991): 129-158; Human Rights Council, Report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, UN Doc. A/HRC/22/63, 7 February 2013.

⁷² Rio Declaration on Environment and Development of 1992, Principle 23.

⁷³ Rio Declaration on Environment and Development of 1992, Principle 24.

⁷⁴ *Legality of the Threat or Use of Nuclear Weapons*, [1996], para 30.

It is important to note that the protection of the environment in armed conflict is integrated, at some level, in international environmental instruments. The Rio Declaration reflects this integration. The Draft International Covenant on Environment and Development (the Draft Covenant) is another effort that echoes such integration. The Draft Covenant does not have any legally binding force; however, it highlights the importance and necessity of protecting the environment in armed conflict, specifically in relation to state's responsibility to take certain precautionary measures in the conduct of hostilities. The Draft Covenant was launched at the UN Congress on Public International Law on 13 March 1995 in order to consolidate and develop existing legal principles related to the environment and development. The Draft Covenant is an ongoing contribution of the International Council of Environmental Law (ICEL) and the International Union for Conservation of Nature Environmental Law Programme (IUCN ELP) to provide a framework for implementing sustainability at all levels of society. The fifth edition of the Covenant, which was released as a contribution towards the UNGA 2030 Agenda for Sustainable Development, includes separate and detailed emphasis on environmental protection in armed conflicts. Some of the provisions in the Covenant mirror those found in other international instruments. In Article 4, the Covenant mentions environmental conservation and respect for human rights as constituting the foundation of a sustainable world.⁷⁵ Article 14 suggests that States ensure "the full realization of the right of all persons to live in an ecologically sound environment adequate for their development, health, well-being and dignity... [and that] all physical and legal persons have a duty to protect and conserve the environment."⁷⁶ Accordingly, protecting the environment is vital in order to enjoy basic human rights and participate in the process of development. Most importantly, in times of military and hostile activities, Article 40 obligates states to take necessary and reasonable measures to avoid causing widespread, long-term, or severe harm to the environment.⁷⁷ Concerning the protection of the environment during armed conflict or under military occupation, these provisions are in agreement with the ENMOD.

Finally, it is worth noting that the UN Special Rapporteur Marja Lehto, in her second report of March 2019, provided a detailed study on the protection of the environment in relation to armed conflicts and proposed a set of principles on the matter.⁷⁸ Shortly thereafter, in its 8 July 2019 meeting, the ILC adopted these draft principles on environmental protections in relation to armed conflicts, which include protection of natural resources in armed conflict and responsibility and liability of state and non-state actors.⁷⁹ The work on these principles is

⁷⁵ International Union for Conservation of Nature and Natural Resources and International Council of Environmental Law, *The Draft International Covenant on Environment and Development*, 5th ed., IUCN Environmental Policy and Law Paper No. 31 Rev. 4 (2015), Art.14.

⁷⁶ *Ibid.*, Art. 14. 1 and 2.

⁷⁷ *Ibid.*, Art. 40.

⁷⁸ International Law Commission, "Second report on protection of the environment in relation to armed conflicts by Marja Lehto, Special Rapporteur", 71st session, UN doc. no. A/CN.4/728 (27 March 2019).

⁷⁹ Annual Report of the International Law Commission on the work of its seventy-first session, 29 April–7 June and 8 July–9 August 2019, ILC Report, A/74/10, 2019, chap. VI, paras. 58–71.

still ongoing. The ILC, through the UN Secretary-General, is awaiting comments and observations that were expected due by 1 December 2020 – the deadline was later extended to June 2021 in the light of the General Assembly’s decision (74/566) –⁸⁰ from governments and international organisations, such as the United Nations agencies (particularly its Environment Programme), the ICRC, and the Environmental Law Institute.⁸¹ The ILC received information submitted by 19 governments, including Israel, and 13 international organizations on the matter.⁸² In its submission, Israel commented on Principle 20, which deals with the protection of the environment under military occupation, stating that the text “An Occupying Power shall respect and protect the environment of the occupied territory in accordance with applicable international law and take environmental considerations into account in the administration of such territory”⁸³ should be amended as “An Occupying Power shall comply with its obligations concerning the protection of the environment of the occupied territory and take environmental considerations into account in the administration of such territory, in accordance with applicable international law”.⁸⁴ Basically, Israel is pushing for the removal of the words ‘respect and protect’, under which specific states obligations can be identified, to be replaced by more general wordings, by which law compliance could be compromised. Elaborately, such generalisation would allow states, here namely Israel, to deviate from their obligations to protect Palestinians and their natural environment in the occupied territory, which gives the occupier the power to decide on the applicable rules as it may deem. This is one example of Israel’s approach to change the text to a style of language and use of terms that would correspond to its colonial interests in the oPt. It is unfortunate that such an important and vital issue has not attracted the attention of the Palestinian government, where no information or document was submitted on its behalf. In its second reading of the Draft, the International Law Commission kept the original text as to “respect and protect”.⁸⁵ Although the language and

⁸⁰ International Law Commission, Protection of the environment in relation to armed conflicts: Comments and observations received from Governments, international organizations and others. ICL Seventy-third session (17 January 2022) UN Doc. No. A/CN.4/749, para 2.

⁸¹ International Law Commission, Summaries of the Work of the International Law Commission Protection of the environment in relation to armed conflicts (11 December 2019), available https://legal.un.org/ilc/summaries/8_7.shtml [accessed on 7 September 2020]

⁸² See International Law Commission, Analytical Guide to the Work of the International Law Commission: Protection of the environment in relation to armed conflicts, Comments by Governments, 73rd session of the International Law Commission (2022), available https://legal.un.org/ilc/guide/8_7.shtml#gov-coms accessed on 6 May 2022]

⁸³ Israel Submission to the International Law Commission, Comments from the State of Israel on the International Law Commission’s Draft Principles on the Protection of the Environment in Relation to Armed Conflicts as adopted by the Commission in 2019 on first reading, para 117, available http://legal.un.org/docs/?path=..ilc/sessions/73/pdfs/english/poe_israel.pdf&lang=E [accessed 6 May 2022]

⁸⁴ *Ibid.*, para 119.

⁸⁵ International Law Commission, Protection of the environment in relation to armed conflicts - Texts and titles of the draft preamble and the draft principles adopted by the Drafting Committee on second reading: Draft principles on protection of the environment in relation to armed conflicts, UN Doc. No. A/CN.4/L.968 (20 May 2022), Principle 19 (20) <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G22/348/04/PDF/G2234804.pdf?OpenElement>

purpose of the principles might shift directions throughout the drafting process, these principles are, at this moment, the only existing legal effort dedicated to the protection of the environment in relation to armed conflicts. They provide a comprehensive basis for the future conservation and preservation of the environment during armed conflicts and military occupation. In the event that the draft evolves to become a multilateral treaty or is recognised as a customary norm, it eventually may become the most detailed and comprehensive framework establishing proper protection and holding states and non-state actors accountable for environmental destruction.

Israel's responsibility: Possibilities and challenges

It has been previously established that international legal obligation to protect the environment in the context of military occupation exists. Breaches of international obligations trigger state responsibility and accountability for an internationally wrongful act, which has significant consequences. Generally, states accountability is found in the law of state responsibility (Crawford 2013). States' responsibility for environmental damages arises in the presence of a violation of an international obligation under customary norms or treaty provisions. The responsibility of a state attributable to it include 1) the actions of the armed forces of the state, 2) entities and governmental authorities, 3) persons acting under the instructions of the state, and 4) private persons or groups which the state acknowledges and adopts (Henckaerts & Doswald-Beck 2005).⁸⁶ Actions committed in the oPt, by either Israeli military or state-backed- settlers, are attributable to the Israeli government. Consequently, Israel, as the occupying power, bears the full responsibility to not only refrain from harming the Palestinian environment, but also to protect the environment and prevent any destruction. States not only have international obligations of conduct, due diligence, and obligations of prevention, they also, in case of a breach,⁸⁷ have the responsibility to provide for, *inter alia*, reparation, remedies, restitution, compensation (Low & Hodgkinson 1995), satisfaction, and guarantee of non-repetition (Boyle & Redgwell 2009). Under the provisions of the Responsibility of States for Internationally Wrongful Acts (RSIWA), Israel might be held accountable for breaching its "obligations of a humanitarian character prohibiting reprisals".⁸⁸

Since its belligerent occupation of Palestine, Israel has expropriated Palestinian public and private property and exploited natural resources, including

⁸⁶ Henckaerts and Doswald-Beck, Customary International Humanitarian Law, Rule 149, 530.

⁸⁷ United Nations General Assembly, Responsibility of States for Internationally Wrongful Acts of 2001 (RSIWA), resolution 56/83, 12 December 2001, and corrected by document A/56/49(Vol. I)/Corr.4., Arts. 13-15.

⁸⁸ Responsibility of States for Internationally Wrongful Acts of 2001 (RSIWA), Art. 50.

Palestinian water, land, mines, stones and gravel, Dead Sea minerals, and long-lived olive trees. It has explicitly violated numerous international humanitarian law provisions (Ben-Naftali et al. 2018) These actions have undermined Palestinian self-determination⁸⁹ and put the environment under legal and ecological threat. Unlike environmental law treaties (several to which Palestine acceded), IHL obligates Israel, the occupier, to take the responsibility of addressing Palestinian environmental issues. Needless to repeat here is that the main contributor to the destruction of the Palestinian environment is Israel. It is undeniable that Israel, as an occupying power, has numerous obligations towards the oPt under the laws of occupation and customary norms of international law. The responsibility of Israel must not be limited to damages that have already been inflicted on the Palestinian environment; it is crucial that this responsibility includes placing preventive measures against perpetrators whose acts harm the environment, remedying the damage that has been caused to Palestinian environment and natural resources, and ensuring non-repetition of such acts.

Environmental damages have cross-boundary effects; therefore, protection can be seen as an *erga omnes* obligation. This means that international obligations concerning the legal responsibility to protect the environment are “owed to the whole international community of states, which can be enforced by or on behalf of that community” (Boyle & Redgwell 2009, 131). In *the East Timor Case*⁹⁰ and the *Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (the Wall Case)*,⁹¹ the ICJ qualified certain human rights as of *erga omnes* in nature. Since *erga omnes* obligations refer to specifically determined obligations that all states have towards the international community as a whole, the ICJ could qualify the protection of the environment as *erga omnes* obligation upon state request. The “[i]nternational concern for the environment expressed through IEL has resulted in environmental protection becoming a factor which the military must take into account in determining the means and methods of warfare” (Low & Hodgkinson 1995, 445). This could be understood as implying that the protection of the environment in armed conflicts and military occupation must be considered as a global concern. Therefore, actions by the international community, including the international judiciary, must act in favour of the preservation of the environment under armed threat.

The jurisprudence of the ICJ may be used in the context of occupied Palestine. The ICJ, in *the Wall Case*, does not discuss any aspects of the environmental destruction in the oPt. The Court instead pays attention to the severity of the confiscation and destruction of Palestinian land and resources. It cites the complete text of resolution ES-10/14, in which the UNGA states its concern regarding “the confiscation and destruction of Palestinian land and resources,

⁸⁹ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion), [2004].

⁹⁰ Case Concerning East Timor (Portugal v. Australia), [1995] ICJ 30 Rep 661.

⁹¹ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion), [2004], paras 155–159.

the disruption of the lives of thousands of protected civilians and the de facto annexation of large areas of territory, and underlining the unanimous opposition by the international community to the construction of that wall.”⁹² The ICJ can exercise its jurisdiction, considering the status of Palestine and UN procedures, similar to its decisions on the protection of the environment in a number of cases such as the *Request for an Examination of the Situation* case,⁹³ the advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons*,⁹⁴ the *Gabčíkovo-Nagymaros Project* case (Hungary/Slovakia),⁹⁵ and the *Pulp Mills on the River Uruguay* case (Argentina v. Uruguay).⁹⁶ While ICJ case decisions and advisory opinions generally receive international acceptance for their prominent validity, the Palestinian context, however, may pose a different challenge. If the ICJ were to render an advisory opinion regarding the damage and destruction inflicted on the Palestinian environment, Israel would most likely refuse to accept its non-binding legal outcome—similar to its response to the ICJ opinion on the Wall case, which Israel received with rejection and denial.

Needless to say, “extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly”⁹⁷ qualify as grave breaches of the Geneva Conventions. Although it is beyond the scope of this chapter, it is consequential to note that violations of humanitarian law trigger penal sanctions.⁹⁸ Most importantly, widespread, long-term, and severe damages to the natural environment trigger criminal responsibility. The Prosecutor of the International Criminal Court (ICC) released a comprehensive policy document providing detailed guidelines for the exercise of prosecutorial discretion regarding the selection and prioritisation of cases. Paragraph 41 states:

The impact of the crimes may be assessed in light of, inter alia, the increased vulnerability of victims... the social, economic and environmental damage inflicted on the affected communities. In this context, the Office will give particular consideration to prosecuting Rome Statute crimes that are committed by means of, or that result in, inter alia, the destruction of the environment, the illegal exploitation of natural resources or the illegal dispossession of land.⁹⁹

⁹² Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion), [2004], para 140.

⁹³ Request for an Examination of the Situation in Accordance with Paragraph 63 of the Court’s Judgment of 20 December 1974 in the Nuclear Tests (New Zealand v France) case, Order, [1995] ICJ Rep 288. On 21 August 1995, the New Zealand Government filed in the Registry a document entitled “Request for an Examination of the Situation” in which reference was made to a “proposed action announced by France which will, if carried out, affect the basis of the Judgment rendered by the Court on 20 December 1974 in the *Nuclear Tests (New Zealand v. France)* case”, namely “a decision announced by France in a media statement of 13 June 1995” by the President of the French Republic, according to which “France would conduct a final series of eight nuclear weapons tests in the South Pacific starting in September 1995”.

⁹⁴ *Legality of the Threat or Use of Nuclear Weapons* [1996].

⁹⁵ *Gabčíkovo-Nagymaros Project*, (Hungary v Slovakia), Judgment, Merits, no 92, [1997] ICJ Rep 7.

⁹⁶ *Pulp Mills on the River Uruguay*, (Argentina v Uruguay), Order, Provisional Measures, no 135, [2006] ICJ Rep 113.

⁹⁷ The Geneva Convention IV of 1949, Art.147.

⁹⁸ *Ibid*, Arts. 146-148.

⁹⁹ International Criminal Court, the Office of the Prosecutor, Policy Paper of Case Selection and Prioritisation (15 September 2016), 14.

The detrimental inclusion of the environmental destruction, including the exploitation of Palestinian natural resources and expropriation and dispossession of land, must form an important part of the ongoing examination of the situation in Palestine by the ICC.¹⁰⁰ The Prosecutor's request pursuant to Article 19(3) for a ruling on the Court's territorial jurisdiction in Palestine may not be the place where the destruction of the Palestinian environment is included.¹⁰¹ The request only concerns territorial jurisdiction of the ICC. The request, in fact, refers to the exploitation of natural resources and land dispossession, citing a number of UNGA resolutions.¹⁰² The destruction of the Palestinian environment could fall under the subject-matter jurisdiction of the ICC, and therefore, be judicially protected.

As long as the Israeli authorities engage in excessive damage to the Palestinian environment and/or permit such damages to occur unopposed, acts undertaken in that manner violate international provisions and obligations. These acts also constitute a form of pillage and reprisal. There then may be a breach of an international obligation and hence criminal liability and international responsibility arising under the GC IV, AP I, and other customary provisions. For acts committed in Palestine, which is a state party to the Statute of the International Criminal Court, possible criminal liability for Israeli officials arising under Article 8(2)(b)(iv) of the Statute as the jurisdictional requirements are met. The cause of widespread, long-term, and severe damage to the natural environment under the Rome Statute suffer the same impracticality as the Hague Regulations, AP I and the ENMOD. The jurisdiction of the ICC is, however, still challenged. The ICC, specifically the Pre-Trial Chamber I, must decide on the scope of the Court's territorial jurisdiction in the situation of Palestine within 120 days of the Prosecutor's request.¹⁰³ In a recent update on the matter and upon the order of the Pre-Trial Chamber I, the ICC Prosecutor submitted her response to the observation of *amici curiae* submissions on 30

¹⁰⁰ The Statute of the International Criminal Court, for example, does include in its compilation of war crimes, crimes against the natural environment. Article 8(2)(b)(iv) reads: "Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated;" It does not include any of the specific violations of occupation law found in the Fourth Geneva Convention or Geneva Protocol I other than the war crime of the occupying power transferring, "directly or indirectly... parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory." United Nations General Assembly, Rome Statute of the International Criminal Court, July 17, 1998, UN Doc. A/CONF.183/9 (1998), Art. 8(2) (b) (viii).

¹⁰¹ International Criminal Court Prosecutor, Situation of the State of Palestine, Public with Public Annex A, Prosecution request pursuant to Article 19(3) for a ruling on the Court's territorial jurisdiction in Palestine. ICC-01/18, January 22, 2020, 43.

¹⁰² The Prosecutor's request, ICC-01/18, 2020, cites, as examples, the UNGA Resolution 73/255 (2018), para. 4; UNGA Resolution 73/99 (2018), para. 7; UNGA Resolution 72/87 (2017), para. 6; UNGA Resolution 71/247 (2016) para. 4; UNGA Resolution 71/98 (2016), para. 6; and UNGA Resolution 70/15 (2015), para. 19.

¹⁰³ See ICC Prosecutor, ICC-01/18, 2020, 111.

April 2020.¹⁰⁴ The Prosecutor's response upholds the opinion that the ICC has jurisdiction over the oPt.¹⁰⁵ As the Pre-Trial Chamber I decided in favour of the Prosecutors' request, this encourages all efforts to bring justice to Palestinians as well as possible environmental protection. On 3 March 2021, the International Criminal Court's Prosecutor announced the opening of the investigation into the Situation in the State of Palestine, which followed the Pre-Trial Chamber I's decision on 5 February 2021 that the "Court could exercise its criminal jurisdiction in the Situation and, by majority, that the territorial scope of this jurisdiction extends to Gaza and the West Bank, including East Jerusalem."¹⁰⁶ Such a decision is a step forward in the process of delivering justice at the international criminal arena and assessing the question of criminal responsibility for crimes committed against Palestinians and their natural environment.

Conclusion

The destruction and exploitation of natural resources, contamination of land, and mismanagement of waste are common everyday actions against the Palestinian environment that have increasingly intensified in the last decades. These actions violate certain provisions of the law of occupation and customary norms. However, the protections awarded to the environment in customary and conventional humanitarian law remain insufficient. Although customary norms applicable to Palestine protect the environment against destruction, the threshold of this form of protection is high, complicated, and difficult to implement in practice. The ENMOD, though not ratified by Israel, eases the legal threshold but remains unclear. Relevant general principles in the Rio Declaration and the Draft Covenant do not constitute a satisfactory basis for environmental protection in situations of military occupation and/or armed conflicts. Those provisions are general, unclear, impractical, and weak. They also do not include any enforcement measures, which is a common problem facing most international legal instruments.

The Rio Declaration and the Draft Covenant do pay a little more attention to the environment in armed conflict and do offer more protection than IHL principles; nevertheless, a treaty under IEL or IHL that puts forward rules to prevent destruction and exploitation of the environment in times of war, conflicts, and occupation remains missing. This leaves a gap concerning the protection of the environment. There is a need for clearer and stricter laws to prevent

¹⁰⁴International Criminal Court- Office of Prosecutor, Situation in the State of Palestine, Public with Public Annex A, Prosecution Response to the Observations of Amici Curiae, Legal Representatives of Victims, and States, to Pre-Trial Chamber I, doc. no. ICC-01/18, April 30, 2020.

¹⁰⁵International Criminal Court- Office of Prosecutor, Response to the Observations of Amici Curiae, para 100.

¹⁰⁶International Criminal Court, State of Palestine - Situation in the State of Palestine (ICC-01/18) <https://www.icc-cpi.int/palestine> accessed 17 January 2023.

environmental harm in situations of military occupation or armed conflicts. These laws must provide comprehensive frameworks that protect the environment against harm, as well as effective enforcement mechanisms to prevent and repair that harm. In fact, with the current status of such provisions, it is hard to adequately safeguard the Palestinian environment and protect its biodiversity. The current provisions do not establish rigid obligations on states to preserve the environment or safeguard its natural resources, especially in the context of belligerent military occupation. Providing proper protection to the environment requires clearer provisions that establish positive and negative obligations, define necessary measures, and lower legal thresholds.

The continuous destruction of the Palestinian environment under Israeli control—and the obfuscation of Israel's obligations and duties as an occupying power— unquestionably frustrates all efforts, both domestic and international, for the preservation of the environment. Israel is required to bear responsibility for its wrongful acts against the environment. Israel's responsibility includes, *inter alia*, taking necessary measures to protect the environment, preventing any potential harm, delivering reparations and compensation for harm already caused, and, most importantly, providing satisfaction and guarantees of future non-repetition. Otherwise, a continuation of the destruction and deterioration of the environment will eventually manifest its transboundary effects. It will also halt the Palestinians from meeting their obligations to protect their environment under occupation, and even prevent them from meeting their Sustainable Development Goals.

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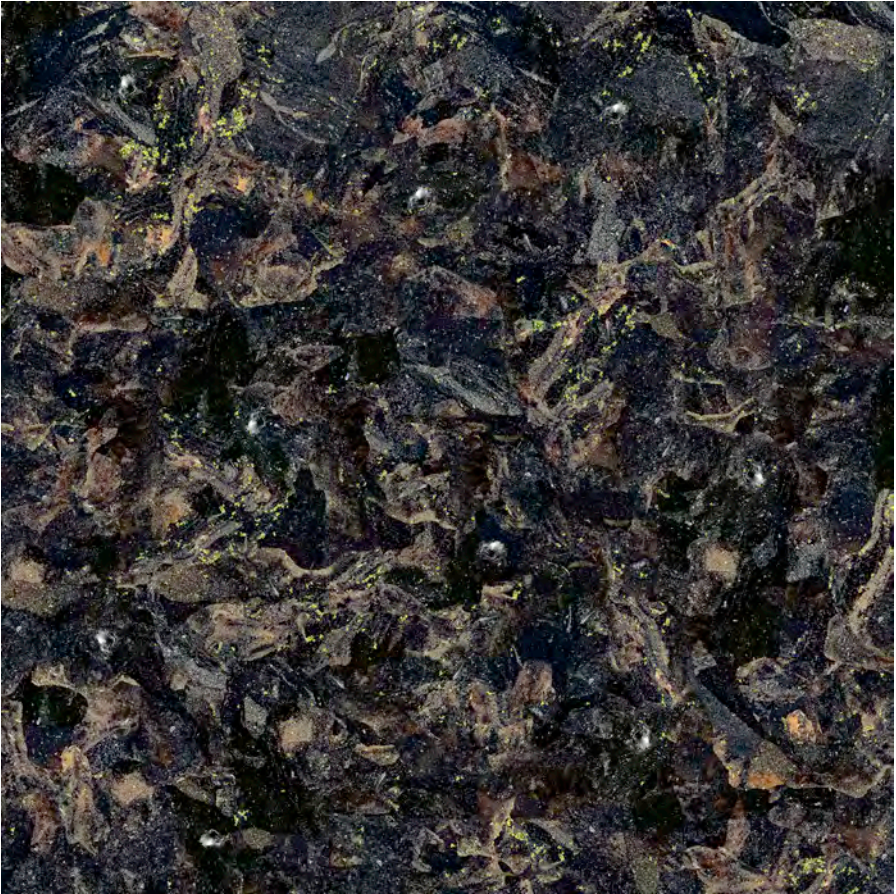
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Chapter Eight

Decarbonising Palestine: Politics of Nature and Weather Relations in Local Historical Farming Knowledge

Mauro Van Aken

Decolonising Palestine goes hand in hand with decarbonizing the imagination within climate crisis. This invites in rediscovering the role of carbon economy in shaping the environment: the politics of nature that took place in the West Bank with the naturalization of a colonial landscape, the notions of domain of nature within modernization policies, and the farming ideologies within nationalism. The atmosphere, which today takes a new global geopolitical role, has often been absent from social sciences, but was very present in historical farming practices of *fellahin*: an ancient agricultural calendar called *Murba'nia*, well shows the local knowledge of the relatedness of local communities with environmental resources and limits and in reading the unpredictability of weather. An issue that today becomes more and more relevant in sharing a common epoch of accelerated environmental changes.



No Man's Land. A collage of images taken from the surface of Lake Victoria Park in London.

2015 | Lightjet prints mounted on matt diasec, 199 x 199 cm. In the collection of The Palestinian Museum in Birzeit.

Source: **Steve Sabella**, <https://stevesabella.space/pages/no-mans-land>

Introduction

Decolonising the imagination, including in the social sciences, takes on a new form within the all-pervasive dynamics of climate change. The global climate emergency caused by greenhouse gas emissions, with its widespread local impact and accelerated environmental change, shines a new light on environment-related contradictions and conflicts, and on competition for and access to environmental resources—but also on the role and meanings attributed to “nature.” This draws attention to both the uncanny quality of the climate crisis itself and its historical construction as a Western narrative, which is intimately bound up with the fossil-fuel-based carbon economy (Mitchell 2011).

As has been demonstrated within the anthropological tradition, most human societies, albeit diverse in terms of their symbolic construction and respective environments, have not classified the world as comprising two opposing spheres as is typical of our own naturalist cosmology (Descola 2005). Ours is a dualistic model of human society, seen as separate and distant from, and indeed in opposition to, a “natural world” that falls outside of relations, interdependencies, and limits; a mere object of dominion and exploitation. In contrast, the majority of cultures have not invested in “harmony with nature”—given that they lack the very concept of a separate world of multiple actors reductively summed up as “nature”—but rather in patterns of relatedness and interdependence with the nonhuman subjects in their environments. In the context of the climate emergency, environmental actors—water, the atmosphere, mountains, forests, etc.—resurface as, sometimes catastrophic, subjects, throwing into sharp relief the interdependencies and limits inherent in our relationship with our surroundings (Van Aken 2020).

Over the past century, Palestine has represented a focal site for the politics of nature, which are understood to be a key feature of the colonial encounter. Themes have included the expropriation of “natural” resources (water, land, seeds, forests) for nation-building purposes, the symbolic appropriation and redefinition of “the others’ nature,” the role of forestry and agriculture in framing Israeli—and Palestinian—national and nationalistic ideologies, the “naturalization” of colonial expansion via narratives of modernisation and technopolitics (Mitchell 2002), and extractivist irrigation ideologies embedded in capitalist development in semi-arid areas. All of these interlinked aspects of the politics of nature stand at the very core of the colonial imagination.

The effects of global greenhouse emissions are leading to accelerated environmental change in Mediterranean countries. Changes may also be observed in the occupied Palestinian territories (oPt) and Israel, including the increasing unpredictability of rainfall, water stress, and greater than previous oscillation of the weather between extremes. The climate emergency is driving more intense competition for access to resources, a desertification process in semi-arid areas, and a struggle for water in the oPt.

In the Anthropocene—understood as a new geological era of accelerated environmental change caused by CO₂ emissions—decolonising Palestine goes hand in hand with decarbonising our collective imagination within the present context of climate emergency: nature, hitherto thought of as a distant object entirely at our disposal, is now re-emerging as an interdependent and entangled set of dynamic subjects. At the same time, the role of humans, with our carbon-fuelled societies and elite groups, is returning to the fore as a ‘agent’ (Latour 2015) that is contributing to abrupt geological and atmospheric changes, thereby subverting—including within the social sciences—the ordered categorisation of society/nature.

This is prompting us to rediscover the impact of the carbon economy’s fossil-based imaginary on the construal of “nature,” not just at home in the heart of the Western world, but even more so in the colonial laboratories of the past century, among which Palestine represents a small but highly intensive experiment that has carried over into the new millennium.

Furthermore, due to CO₂ emissions and the urgency of decarbonising economies, the atmosphere is becoming a new focus at the global level; emerging as a geopolitical issue, just as the quest for new—and ancient—relationships with the environment and the need for circular economy approaches are coming to the fore as themes within the political struggle.

Rediscovering historical local patterns of atmospheric knowledge and farming practices in Palestine can help us to differently conceptualise the environmental and social changes we face, and to envisage possible feasible futures within the climate emergency. Here, we bring an anthropology of history perspective to bear on the present-day labour practices of Palestinian peasants (*fellahin*), analysing an ancient local pattern of farming knowledge that has survived in the context of fenced family subsistence gardens: an agricultural calendar known as *al-murba’nia*. This calendar of desirable rainfall patterns illustrates the local knowledge of peasants and farmers concerning their interdependence with the resources and limits of the environment, prior to the hegemonic takeover of notions of nature and expert agronomic knowledge; a theme that is increasingly recovering salience in our contemporary age of accelerated environmental change and internationally-shared concern about the link between environmental issues, and vulnerability and impoverishment.

In 1995, when I was conducting ethnographic fieldwork among Palestinian refugees in the East Bank of the Jordan Valley, the lack of water in this dry and torrid depression was a key issue for the agribusiness sector, which had radically transformed environmental and social patterns of farming. While living in this low-lying and scorching region, I got used to waiting for the evening east wind to rise up so that I could cool down after the long hot summer days, and to hoping for the coming rainy season (on which water supplies and the next harvest depended). At that time, I recorded Amin Kanaan Turkmani—a 1948

refugee from the Haifa region—giving his account of an agricultural weather calendar that he still used to orient his way through the clouds and rain of the winter months, conserving it in his social memory as one of those traditions that refugees reify in displacement. This calendar (as stated above) was known as *al-murba'nia*. It details a set of phases that make up the much anticipated but erratic rainy season, offering a framework for defining specific work practices by guiding farmers to recognise the different types of wind and rain, the pattern of intensifying cold and frost, and the activity/development of other non-human sentinels such as snakes, specific insects, or wild plants. *Al-murba'nia* helped pinpoint the timing of the strategic farming tasks to be performed in preparation for the wished-for rainy season and the ensuing spring.

At the time of my initial fieldwork, I categorised this ancient memory as part of the refugees' nostalgia for their past and lost lands and homes, denying what has recently become more self-evident: namely, that knowledge of the environment has always been a component of local *savoir faire*. This local knowledge encompasses knowledge about the weather, its unpredictability, and the embodied experience of its historical patterns across the generations. Although my research concerned water as a key medium for social and political relations (Van Aken 2003, 2012), I then generally conceptualised weather conditions as external to the environment: indeed, atmospheric relationships are often absent from the social sciences, despite their prominence in the social world and in local knowledge.

Al-murba'nia had become 'out of place' in Jordan, given that regional modernisation schemes led farming to be redefined as unlimited intensive irrigation to be mainly conducted indoors in greenhouses.¹ Once the traditional patterns and techniques of rainfed agriculture had been substituted, water issues would remain hidden away in distant water control stations, designed to capture every available drop for commercial cash-crop agriculture and urban development. Nevertheless, Amin Kanaan, like many of his peers, recalled *al-murba'nia* not only out of nostalgia for his lost land, but also as a framework for his efforts to grow family food supplies in fields that were still rainfed or less systematically irrigated.

The Palestinian refugees of 1948, and later those of 1967, brought with them not only what material objects they could carry. Along with a scant few possessions, they also travelled with their knowledge of the 'atmosphere' of their homelands: highly volatile, flowing, immaterial, cultural, and agro-pastoral knowledge that nonetheless represented a key component of their social belonging, their trust in places, and ways of dwelling and farming that persisted even in a strikingly different ecological and economic context.

¹ The practice of irrigation was implemented on a larger scale by channelling water from the Yarmouk river at the Syrian border. However, this has led to the current water stress scenario and the "construction" of water scarcity (Van Aken 2003).

In more recent years,² while conducting research on family farming in the Bethlehem area in the West Bank, I once again came across the memory of *al-murba'nia* among the older generations of *fellahin*, although for many—at least among the younger age groups and as an oral tradition—it has now fallen into oblivion. Current versions vary in terms of their classification of the phases of the calendar. Yet in one form or another, *al-murba'nia* is still present in family gardens and practices, even more so given the increasing loss of water sources, due to expropriation by the Israeli occupying forces and colonial settlers. In mountain areas especially, *al-murba'nia* is remembered and valued for its emphasis on the variable and limited availability of water; an issue that, in the high-tech colonised setting of the past half-century, has only had the effect of exacerbating distress and anguish. Still today, the legacy of *al-murba'nia* helps to strategically organise the work of rainfed farming, which demands skilful management of water and moisture.

In the West Bank, on the hills where *al-murba'nia* originated, this meteorological knowledge system is nowadays seldom spoken about and is excluded from modernisation narratives. Yet, it continues to be a vital component of the skills required for family farming, which—in the circular and mostly subsistence economy of the Bethlehem area's *habba'il* (terraced gardens)—still rests on relatedness with, and not extraction of, living forces and other non-human subjects in the environment.

Al-murba'nia consists of a complex classification of increasingly rainy/wet/cold periods, a 'rainsphere' to be skilfully navigated with a view to saving as much moisture as possible for the longer, dry, hot summer. By engaging with the historical unpredictability and variability of rain, *al-murba'nia* offered, and offers, a means of framing uncertainty, and of attaining familiarity and intimacy—not with equilibrium or fixed seasons, as from a naturalistic perspective, but with the erratic, unpredictable, and uncertain patterns of fluctuating rainfall that have historically characterised the Palestinian environment. Indeed, contemporary Palestinians in the West Bank are highly expert in political risks and uncertainties, but also inherit past expertise in environmental risks surrounding water scarcity and undependability, which represents an intimate part of their local knowledge.

In order to draw out the role of the imagination and the politics of "nature" from the initial colonial encounter through contemporary settings, I devote the first section of this essay to situating the meanings of "nature" and "air" within the context of Israeli nation-building, the depeasantisation process, and land and water expropriation in the oPt. In the second section, I outline key aspects of the politics of nature in relation to the colonial occupation process: the role of forestry planning in erasing the Palestinian landscape, the encounter

² My fieldwork in Jordan spanned the years between 1998 and 2004, while I conducted my ethnographic work in Battir in the Bethlehem area (West Bank) across multiple seasons during 2014 and 2015.

between Zionist farming ideologies and the *fellahin*, and the interlinked Palestinian defensive farming and local symbolic value of food. This lays the ground for my analysis, in the final section, of the role of the resilient weather knowledge known as *al-murba'nia* in agricultural work based on rainfed farming techniques and relatedness to the atmospheric environment.

Up in the sky, facts on the ground

One of Edward Said's last publications was entitled *After the Last Sky* (1999). This work combined texts by the famous Palestinian intellectual with shots by the Swiss photographer Jean Mohr of landscapes in which the sky featured prominently. Anybody who is acquainted with the historical Palestinian refugee camps, with their spatial segregation and restrictions, conserves memories, such as local doves mating in the late afternoon while flying freely in the sky, a cue to dreaming of wide open spaces above to counterbalance the distressing facts on the ground; or children flying kites in the evening; or the vital role of rooftops as the leading place for private rendezvous among teenagers and as refreshment and hospitality venues for families during the long hot summers. Said's Palestinian skylines were presented as a counterpoint to the situation on the ground yet were informed by a modernist perspective that assumes a disjuncture between earth and sky, taken to be two separate spheres. This was markedly different to the ancient perspective of *al-murba'nia*, from which dynamic actors and signs in the sky were interpreted as interrelated with "down to earth" farming practices.

Global and local perceptions of the future are today increasingly characterised by a sense of crisis surrounding climate change: carbon dioxide emissions from human fossil fuel combustion have represented the main cause of atmospheric greenhouse gases and rising temperatures since pre-industrial times and are linked to accelerated environmental change. Models of the threats inherent in environmental change dominate projected scenarios for the coming decades; changes that will occur unevenly among populations and will often affect the more marginalised. In the Anthropocene, recognition of the anthropogenic nature of greenhouse gas emissions and other related human drivers have suddenly turned humans into "natural agents" with a geological role in climate change. The modernist notion of "nature" as a domain of resources at the disposal of human beings, has suddenly begun to appear uncanny; existential and epistemological upheaval has followed the discovery that "nature" is not stable, immutable, or susceptible to being simply managed, planned, or consumed by modern humans.

Figure 1: Local cultures are rooted 'in the air': local knowledge is related to patterns of socialization of the atmospheric environment



Source: **author.**

The occupied West Bank serves as a tragic laboratory for the expropriation of land, deterritorialisation, material fencing, and the bordering of contiguous communities. In short, a set of harsh, contested 'facts on the ground' that are amplified by nationalist ideologies of land and nature arising in the context of Israeli nation-building and military control. Such conditions are peculiar to this setting yet reflect experimental spatial techniques for framing 'contiguous disconnections' of territory that are increasingly spreading around the world. In this scenario, land has become the unstable basis for a daily sense of crisis instead of the foundation of stability and trust. Environmental issues and climate change are just one remote problem among more tangible, urgent, and immediate emergencies stemming from colonial expropriation and discipline. In a land of perennial instability, such as the West Bank, homemaking, farming, and reproducing community encounter daily uncertainty; clearly, the environment is the least pressing concern amid multiple crises. At the same time, local knowledge has enabled the reproduction of resilient and sustainable patterns of family farming, seen as distinct from the chemical-based intensive agriculture promoted in the modernisation policies of recent decades, and as distinct from Israeli agribusiness. These farming practices are rooted in rainfed farming traditions, the intrinsic relatedness of the arid ecological environment, and local autonomy expressed through the deployment of local hands, tools, skills, and even local seeds. And this knowledge is held within the framework of *al-murba'nia*, which is not just a time-based calendar, but an account of relatedness that encompasses the interdependencies, limits, and actors within the

atmosphere, a cultural resource that today has regained importance. There is no “nature” in the *al-murba’nia*, but rather a set of nonhuman actors, risks, and limitations. Indeed, *al-murba’nia* poses a strong challenge to our own contemporary models for understanding the air and weather in the context of the climate emergency: it highlights our present disconnect from the environment, whereby “nature” has become a separate and objective world of objects, as opposed to a world of subjects and relations of mutual reliance.

As Hulme described (Hulme 2017), intimacy and culturally sensitive engagement with weather have historically undergirded societies’ trust in, and solidarity with, their territories: cultures are *weathered*, a transitive use of the verb that expresses interdependence with the uncertainties and fluxes of the atmosphere when it comes to rain and seasons. In Western societies, we have forgotten this, even more so within the social sciences, and the upshot is a lack of conceptual frameworks for weather relatedness (Van Aken 2020). This deficiency becomes even keener in light of the ongoing climate emergency, in which accelerated change is taking place in the skies above us, leading to altered rain cycles and increasing competition for water and food autonomy. Nevertheless, Middle Eastern societies have maintained their ties with what goes on up in the sky, and *al-murba’nia* is a good example of this kind of local legacy.

First, it is a form of weather knowledge that stems from interaction, embodied experience, and engagement with the local winter as an unpredictable and variable ‘rainsphere,’ a highly concrete and on-the-ground experience that is also entangled with the atmosphere. Furthermore, its shared patterns of knowledge provide a basis for making sense of weather conditions and their historical unpredictability; it offers a means of constructing a sense of stability and solidarity in the midst of crisis. This stands in contrast to the emotional anguish of the inability to make sense of the extreme and unfamiliar weather conditions that are nowadays becoming more widespread as a result of climate change.

Meanings in the air

The historical legacy of this weathered knowledge, understood as relatedness with living forces in the environment and a borderless atmosphere, is radically different to the new political and ecological context: lands have come under occupation via fencing and bordering, and even more crucially the sky has taken on alternative meanings under occupation. The ‘facts on the ground’ that have driven change in this small region have become disconnected from the ‘facts in the air.’ This represents a contemporary pattern of change that is not unique to the oPt; more specifically, from the perspective of modernity and the carbon economy, the land has been imagined as detached from the atmosphere, with the weather and air reduced to a mere space to be monitored. The

weather has become a measurable sphere -as reflected in weather forecasts- or a logistic and military space (Van Aken 2020), transcending the interdependencies with the dimension above us that all cultural groups, including Palestinians, have traditionally valued: a dimension of risks, limits, and affordances—in short, of environmental relations and interferences.

Within the contemporary attempt to seek out new frameworks and knowledge of weather relatedness in the Anthropocene, the wisdom about weather and its historical variability contained in *al-murba'nia* features key aspects of local knowledge about farming in arid areas. It is a guide to reducing the risks associated with potentially extreme weather events and erratic rains, which formed the cornerstone of ancient rainfed agriculture and food-making.

While 'down-to-earth' is a terrestrial metaphor that aptly depicts the material conditions of farmers, it deflects attention from the patterns whereby different cultures "weather" (Hulme 2017) their everyday landed practices as active engagement with the atmosphere, looking up into the air as a collective multisensory experience that guides them in ploughing, sowing, and mitigating risk or water stress. Hence, like any weather knowledge system, *al-murba'nia* may be more appropriately understood as a "down-to-air" pattern of knowledge and practice, in which on-the-ground dynamics are closely interrelated with dwelling in an atmosphere, via an empirical set of actions and relations (Strauss and Orlove 2003; Vannini et al. 2012). Undoubtedly, climate change is driving a revisiting of the disconnect between human activities and nonhuman agents, and especially between an environment viewed as solely terrestrial and the weather in which it is enmeshed. While cultures have traditionally been 'weathered' (Hulme 2017), in that they have always inhabited dynamically shifting weathers, having to deal with an overheating global atmosphere is bringing the relationship between weather and society back into focus—this time within a crisis framework.

Furthermore, in local cultures, weather is domesticated and made familiar rather than dominated or managed through measurement. Knowledge of previously experienced and predicted seasonality translates into an active relationship with a "weather world" (Ingold 2005), in the sense of social and cultural involvement with the atmospheric environment. In Palestine, this has meant interacting with fluctuating levels of humidity in an essentially arid or semi-arid setting. It has consisted of an attempt to navigate volatile weather conditions via recognition of winds, patterns of humidity, types of cloud, and the actions and signals of multiple living agents. *Al-murba'nia* thus represents one of the "diverse cultural interpretations of humans' sensory experience of the atmosphere's restless weather" (Hulme 2017, XIII), which in this instance has been historically related to dependency on rainfall. Farming knowledge is 'rooted in the air' and Palestinian peasants knew about this incertitude, embracing flexible patterns of work to match the limits and affordances of local seasonality.

Figure 2: Farming is weathered where the atmospheric environment acts on the ground



Source: **author.**

Both the fragility and potential inherent in this ancient relatedness to water and weather rest on the key historical distinction between a long hot and rainless summer (*sef*) interrupted by a hoped for, unpredictable, and changeable winter rainy season known as *shitta*, not by chance the same word used to signify 'rain.' From a local peasant perspective, the year is inevitably and sharply divided into a variable and internally complex rainy season and a lengthy rainless phase.

Al-murba'nia was local meteorological knowledge shared by both coastal and mountainous agricultural areas, with the latter forming the main barrier attracting seasonal rainfall to the West Bank. However, the Palestinians lost access to the sea, along with their sea merchant culture, and today are fenced into high-lying areas of the West Bank. As argued by Tamari in a book significantly entitled *Mountain Against the Sea*, being cut off from the sea has amplified the historical "emergence of the cultural divide between mercantile and cosmopolitan coastal communities and mountain-dwelling smallholder peasants" (Tamari 2009,1)—enclosing Palestinians, along with the failed possibility of an independent state, in this mountain region that was historically home to an autonomous peasantry representing the backbone of agricultural production. From a territorial perspective, the mountains have lost the sea, yet in the terms of *al-murba'nia*, weather still unites these bordering divided-off areas.

The land has been fragmented, fenced, and over-signified but all of this takes place underneath a shared weather system.³

Re-discovering this weather relatedness, even in a modernised and colonised context, helps us understand the meanings, and patterns of denial, that come into play in accelerated weather change. Western societies today lack shared cultural models for coping with uncertainty and an environment that re-acts and manifests itself as a subject: given that “nature” mainly comprises measurable objects, climate change is essentially “unthinkable” as Ghosh (2016) has proposed. For when we are disconnected from our environment, and consequently no longer capable of reading our interdependencies, climate change becomes radically and emotionally unsettling, undermining our sense of familiarity and trust, and amplifying the uncanny impact (Weintrobe 2013) of being unable to make sense of atmospheric relations. This stands at the core of weather *weirding* and the distressing quality of the climate emergency.

Weather cultures, also defined as “weather worlds” (Ingold 2005, 2007), or local patterns of engagement with rain and the atmosphere, invariably entail attempts to stabilise a relationship that comprises “repeated exposure over periods of time to particular types and sequences of weather” (Hulme 2017,15).

Even historical happenings are often linked with exceptional climate events. Palestinian refugees’ memories of the 1967 displacement are associated with an exceptional winter snowstorm in the Jordan Valley. Local community members recall waking up in the early morning to the sight of snow falling but also of refugees arriving; they began to host the children and women in their tents and homes, as a first local form of assistance, in the midst of extraordinarily cold winter weather. Within the social memory of the community, the unusual snowfall came to symbolise both the dramatic and irregular situation of the refugees and a local tradition of mutual aid.

However, the meaning of the air has changed radically over time, a shift that is even further heightened in the West Bank of today. The air has become a *locus of risk* (Sloterdijk 2016): it is the space of colonial visual control, helicopter discipline and attacks, chemical pollution by Israeli factories (externalised to the West Bank), or drone surveillance. Furthermore, Israeli colonial architecture has created two separate vertical landscapes (Weizman 2002), whereby the surface of the land is juridically divided from the underground dimension (water or archaeological resources) and, crucially, also from the air above (air control, radio and telecommunications networks): a technically-supported but schizophrenic fragmentation of sense of place, effected via multiple technologies and shifting military borders.

³ *Al-murba’nia* offered meanings of ecological relatedness that have been absorbed into social communication at the local level, beginning with rain and water: “Christians, Muslims and Jews display similar attachments to popular saints, [...] as we witness, for example, in rain processions in periods of drought” (Tamari 2009, 105).

In this context, it is interesting to note the use of weather metaphors by the Israeli Defense Forces to describe their military operations, in an overturning of historical atmospheric meanings in the region: Operation Rainbow (2004), Operation Summer Rains (November 2006), Operation Autumn Clouds (November 2006), Operation Hot Winter (March 2008), Operation Sea Breeze (May 2010). The traditional cultural investment in rain that is shared by both cultures makes a comeback here, but as a human affair, while the 'hot winter' metaphor is well suited to the dynamics of overheating that we are currently experiencing at the global level. Shared weather patterns have been disconnected, just as water resources on the ground have been bordered. Emblematic of global patterns of territorial management and idolatries of land, the aerial dimension has become a detached locus of risk.

Weather changes challenge our understanding of the cultural relations between the terrestrial environment and the atmosphere. Thus, an exploration of the key meanings of land and environment in Palestine can usefully inform our analysis.

The politics of nature: Land idolatries and farming ideologies

While disconnection from weather worlds, and from the environment, is currently a global issue, in the context of the West Bank it is related to experimentation with new material borders. Today, the West Bank is a tragic laboratory for walled futures: a colonial space where we can observe novel techniques of territorial colonisation and segregation, contiguous separateness, and confined categories of humanity. Indeed, the accelerating and modernist quality of land discipline in the high-tech colonial encounter (Weizman 2002; Temper 2009) is bound up with nationalistic politics of nature.

The occupation is characterized by expropriation, integration, and externalization: expropriation of the resources, particularly water and land; integration of the economies, leading to a captive market and a captive labour force; and externalization of the environmental costs. (Temper 2009, 100)

The materiality of the land is indeed 'difficult to imagine' from an exogenous perspective or from within other colonial experiences of the last century: arbitrariness and disconnect characterise local perceptions of the territory, with Israeli settlements forming the borders of Palestinian neighbourhoods, and the colonists' networks and logistics constituting fences around the Palestinians' territories and movements. Territory has taken on an extra-territorial dimension.

The West Bank has been integrated into Israel via a process of segregation that rules out any future sense of territorial contiguity, let alone autonomy. Since 1967, the militarily controlled Area C has contained most of the farming land and water resources and is inhabited today by 300,000 Palestinians who are fenced in and surrounded by settlements housing 356,000 Israeli colonists. In this territory, farmland owned by Palestinians is continuously at risk of arbitrary expropriation—when this appears functional to ensuring the security or expansion of a nearby colony—or the denial of access to underground water resources.

Figure 3: Defensive farming: Planting young olive trees among aubergines, as a legal ploy against expropriation.



Source: **author.**

Indeed, Palestinian communities might be best represented as disconnected islands in a sea of military control and scattered neighbouring colonies. Within this material framework, it is commonplace for a field of olive trees to be secretly mule-ploughed at night, because a farmer is not allowed to work land that has been reclassified as a “security area.” Another frequent sight is rows of small olive trees planted in aubergine fields, a crop combination that has nothing to do with historical relationships among local plants but rather embodies a form of “defensive agriculture”—in the case of military expropriation, only the presence of olive trees offers tenuous legal grounds for appealing

the decision to a military court (Braverman 2009, 130). For generations, and even more so over the past two decades, land has come to represent the material risk of losing the ‘ground from under one’s feet’: rather than solid stability, land now constitutes a surface of arbitrariness and a lack of control over the material.

As in other parts of the Middle East, food and farming have been absorbed into modernist ideologies, following a Californian landscape model based on reducing labour costs, chemical-based agricultural intensification, and the substitution of “traditional” farming systems with high-tech irrigated intensive farming. As at many other sites of the green revolution, globally and in other arid areas, this has also led to the widescale replacement and marginalisation of semi-arid, rainfed cultivation patterns, seeds, and techniques. In Area C, military orders have been “staked in” agriculture (on the use of water, see Qandeel, 2023). For example, the ban on planting productive orchards (Military Order no. 1015, 27 August 1982), aubergines and tomatoes (Military Order no. 103), or onions and onion seeds (Military Order no. 1015); the total ban on growing tobacco; the ban⁴ on milk production, except for family subsistence, until a decade ago; or the ban on using organic pesticides (sulphur, copper).

In this context, modernisation narratives are coupled with biblical narratives of the land and the invention of a desert to be redeemed using techno-fix solutions (Worster 1985; Mitchell 2000), consistent with the contemporary myth, widespread throughout the Middle East, of ‘making the desert bloom.’ The notion of controlling resources, based on the modern invention of ‘nature,’ in order to restore ‘biblical nature’ as an authentic reality, is at the heart of nationalist symbolic values and ideologies. Thus, the land has been overlaid with idolatries that have been reproduced in secular nationalist territorial planning. Not only have Palestinian lands and landscapes often been appropriated, destroyed, and hidden by the extension of forested zones, but local farming systems and control over resources have been increasingly forbidden.

A further related factor that has contributed to reshaping the concept of environment under occupation is a specific politics of nature: the colonial endeavour has been legitimised via a narrative about modernising nature by replacing “backward” local farming systems. At the same time, this has led to a naturalisation of colonial expansion, presented as a natural and moral endeavour required to develop resources and ‘make the desert bloom.’ This is typical of technopolitics (Mitchell 2002, wherein key political changes are effected via authoritarian patterns of technical planning of the environmental (Scott 1998).

Promethean ideologies that see man as controlling nature have informed new national meanings of farming and planting, leading trees to be assigned

⁴ Only since 2014 have Palestinians in the West Bank been allowed to produce cow’s milks on an industrial scale.

a special role within Zionism (Braverman 2009). In the wake of the Holocaust, agricultural ideologies of redeeming supposedly abandoned territories served to root the new Jewish man and a new national and religious community in the returned-to 'Promised Land.' Indeed, politics have been planted along with pine forests (Cohen 1993) and attachment to the land has been naturalised through farming. Such symbolic meanings of forest management are present in many cultures, but here they have been intensively developed and condensed.

Figure 4: Cultivated habbail in Battir, with an Israeli colonial settlement in the foreground and, to the right, pine forestation covering up the remains of a pre-1948 Palestinian village.



Source: **author.**

Indeed, the national policy of pine forestry development has been intended since the creation of Israel, and even more so since the 1967 incorporation of the West Bank, to cancel out lost Palestinian landscapes and villages by hiding a community and its territorial markings with the aid of the fast-growing pine. Within the nationalist Zionist narrative, protecting and managing "nature" has conferred totemic value on the pine tree: a flag planted to mark the conquest of land that simultaneously serves to erase contested Palestinian lands and *greenwash* power relations, all in the name of 'sustainable' arid development. In this context, rooting one community through farming and pine forestry programmes has meant de-rooting Palestinian communities, villages, and olive

groves, while obscuring the political nature of a process that is presented as a greening and modernisation of the landscape.

Today, two opposing “treescapes” representing two different aspirations to nationhood—realised in the case of the Israelis and reduced to a segregated peace process in the case of the Palestinians—face one another down on these hills. The outcome is a struggle between iconic anchorages to the land of pine versus olive trees, within a *de facto* segregated incorporation of the West Bank into Israel. In short, nation-building has been conducted based on an arbo-real imaginary of roots that is coincident with denial of the Other. Trees have thus become totems: offensive anchors to the land that express the competing identities aspiring to be national represented by the pine and olive, respectively (Braverman 2009).

Palestinian defensive fenced farming

On this battlefield of planting ideologies, the Palestinian peasant has become both an icon of national resilience in the face of occupation and an anchor to the land of a reified Palestinian cultural authenticity, an icon of resistance to the occupation. However, the idealisation of the local *fellahin* within Palestinian nationalism has been paralleled by a historical process of ‘de-peasantisation’ and the proletarianisation of cheap labour in Israel. The collapse of local agropastoral systems and the ongoing loss of land and water autonomy have nonetheless failed to eliminate residual farming and the reproduction of patterns of cooperation in farming in the midst of wider social mistrust.

Indeed, the *fellah* has acted as a “national signifier” (Swedenburg 1990) “that unites and mobilises by virtue of the fact that it dissimulates past and present differences within the national movement, in the interests of a leadership with particular class interests” (Swedenburg 1990, 25). While on the one hand the *fellah* continues to function as the soul and root of national identity, on the other hand small traditional farmers have received both little developmental aid and limited assistance from the Palestinian National Authority, which has instead prioritised the intensive irrigated farming of cash crops. The *fellahin* have become a national icon of struggle, but have lost their material reality, offering abstract social capital that is not reflected in actual livelihoods. Hence, the *fellahin* are subject to mythical idealisation on one level, while being generally devalued and forced to abandon agricultural work on another. The outcome today is, as the local expression goes, “farming without peasants”: a contradictory process that supports the modernisation of agriculture in the absence of territorial independence and the development of market agriculture within a framework of dependency on imported Israeli foodstuffs.

Notwithstanding the reification of the *fellahin* (to the detriment of the *bedu* pastoral tradition), not much is known about historical changes in, and the current status of, their local knowledge and relationship with the environment. This 'construction of ignorance' is underpinned by colonisation of the land and amplified by Palestinian modernisation policies that have overlooked local rural systems and expertise. Rarely has attention been paid to local knowledge and on-the-ground farming practices, aspects that have been overshadowed by theories of modernisation focused on transforming the 'backward' peasant into a 'modern' farmer (Van Aken 2012), and by the expropriation of land and water within the on-going colonial integration of the West Bank into Israel.

One exception in the anglophone literature is a historic investigation into local knowledge conducted a century ago by Dalman (1920), whose exploration in *Work and Customs in Palestine* primarily explored local systems for understanding rain and weather in light of strongly variable fluctuations in precipitation: "The end of the year is the end of the summer" (Dalman 1920, 24). This historical account of local material 'traditions' examined local relatedness to the weather in terms of proverbs, with farming practices presented as tools for dealing with the unpredictability of weather, and for interpreting of patterns of rain, wind, frost, and dew.

Food as freedom in Battir (Bethlehem): Cultivating relatedness

The politics of modernising nature have driven the naturalisation process and informed the new and contested meanings attributed to land, water, environment, and air, all condensed into food. Such a modernist model (Scott 1998) is today highly unsustainable, notwithstanding a rhetoric of sustainability and green techno-fix solutions. More so than economic productivity, farming has yielded symbolic productivity (Bernal 1997): a modern landscape has been invented by means of facts on the ground and territorial expropriation, but even more so via a new imaginary and representation of "nature" as at the disposal of humans and a new population to be rooted and naturalised as an imagined community (Anderson 1991). The condensation into food and contestation of this dynamic are aptly described here:

This is part of an ongoing semiotic warfare that Israel wages on Palestinian national symbols and signifiers ranging from the Jaffa oranges, the olive tree, and the cactus, to national Palestinian dishes such as hummus and falafel, to Dabke (Palestinian folk dances) and more. What is evident in this dynamic is that Israel seeks to gut the Palestinian symbols and national signifiers of their cultural significance in relation to Palestinian nationhood and Palestine. (Abufarha 2008, 363)

Food, farming, land, and water as symbolic resources have been appropriated and reinvented by Israel, following a pattern based on the denial of the Palestinian Other. Local rural knowledge and practices have become entrenched in small but intensively cultivated gardens called *habba'il* in the village of Battir (Bethlehem). These are spaces of cultural intimacy that remain crucial to family subsistence, with surplus production sold at nearby markets to bring in cash. Above all, they are valued as a means of reproducing “our own food,” deemed “pure,” clean (*naddhaf*), and “natural” (*tabia'*). Here, the theory and practice of rural expertise, which has otherwise disappeared or been marginalised, remain resilient, in the form of cultivation—and cultural—techniques, seed varieties, ploughing patterns, and spaces of autonomy where community members can continue producing their own food. In the past, the area’s ancient tradition of arid farming ensured its role as the breadbasket of Jerusalem and Bethlehem. Today, in contrast, it is separated from the nearby Holy City and—similarly to other nearby⁵ farming villages—lost its historic marketplaces in recent decades. These impervious, mountainous, and terraced spaces are marginalised chiefly because they are seen from modernist perspectives as in opposition to the mechanised and chemical-based intensive production of monocultures produced via irrigated farming. Nevertheless, they remain home to ancient rainfed techniques and relationships.

Figure 5: The village of Battir viewed from beneath its cultivated terrace



Source: **author**.

⁵ In addition to Battir, also Nahalin, Wadi Fukin, and Al Walajeh.

The *habbai'* in Battir are terraced tracts of land that also receive irrigation thanks to the survival of one key source of spring water. This is shared among the village's main eight *hama'il* (tribes in the sense of patrilineal units), following a pattern of cooperation or water commons that has endured across times of crisis. Today, it is actively used to irrigate family food supplies against a backdrop of decreasing resources, land confiscation, and market closures, such that cultivating "our own food" is often perceived as a crucial symbol of "freedom."

Local environmental knowledge and expertise, which have generally been substituted by a mix of colonial and aid-driven modernisation patterns within an overall devaluing of agriculture, remain entrenched in these domestic, irrigated terraced gardens, retaining a strong emphasis on the relatedness of resources. The core of this surviving local *savoir faire* is awareness of the limit- edness and variability of resources, prompting a circular exchange of ecological resources in which "nothing is wasted" (Van Aken 2016), the local reproduction of ancient rainfed seeds (*baali*) that have generally been substituted by intensively irrigated crops produced for the market, and the renewal of soil fertility as the basis for sustainable home production.

These gardens are spaces of intensive production; they feature a diverse range of vegetables (summer and winter crops) together with multiple varieties of fruit trees, domestic herbs, and key wild herbs that are crucial to the local diet and medicinal practices.⁶ Elderly *fellahin* often weed by hand, which allows them to separate valued wild herbs from fodder for a few residual sheep and goats, whose manure is still prized as the best fertiliser.

Indeed, Palestinian *fellahin* are highly "conservative" in this regard: all that is cultivated and harvested must be conserved for as long as possible. The gardens are configured as a public extension of the kitchen, of women's recipes and culinary and regional skills and tastes—for example, planting even takes into account what will be needed in the kitchen during Ramadan. In addition, plants, leaves, fruit, and crops are "conserved" as the basis of the crucial year-round family food supply: techniques from drying (*tajfif*) to pickling (*takhliil*), frown cooking (*tagmidh*), concentration (*magdah*), and jam-making yield typical local products such as tomato paste, *mrabba* (marmalade), *malban* (cooked grape juice), and *dbes* (sheets of dried grape). In addition, the *habbala* remains a key social place for hospitality, swapping information, storing and exchanging seeds, and sharing labour, thus acting as a concrete public extension of domestic space.

⁶ A study conducted in the northern region of Tulkarem shows that, despite the fragmentation and devaluation of farming, the local population still used over 100 different plants from the local repertoire, exploiting leaves, roots, buds, flowers, fruits, and seeds. Eighty-nine percent of these products were consumed fresh, 77 percent cooked, and 49 percent dried and stored for later consumption. Furthermore, the distinction between food and popular healing plants was fluid and porous (Ali-Shtayeh 2008).

Figure 6: A series of mashkabe, or irrigated plant nurseries, in early spring.



Source: **author.**

'Cultivating chaos' would be an appropriate way to define this form of cultural investment; chaos due to the unpredictability of the shifting colonial setting, where a tract of land may be expropriated at any time under Israeli military law. Yet there is a positive quality to the apparently irrational confusion of these promiscuous and seemingly disorderly vertical gardens: grass is left in the fields in order to retain humidity during specific periods or to protect young plants from the sun, and selected crops are left unharvested in gardens to mature for seed production. The key emphasis in these family gardens is doing the work with "our [the farmers] own hands," so as to reproduce skills that are meaningful not only in relation to the peasants' past but also to their future, in terms of making resources available for the years to come or passing on knowledge to future generations by teaching mule-drawn ploughing techniques to young children during weekends. Such skills, as embodied practices enacted within the environment, are often not verbally articulated. Yet, for these Palestinians, 'knowing how to do' things is connected, within their severely disciplined context, with being *horr* (free), as is 'knowing how to move around' (for example, when going out at night to search for *zatar*, a well-known wild herb, now designated as 'protected' by military order). Furthermore, gardening remains key to local economic coping strategies. In practice, these marginal and relatively small tracts of land represent a key narrative that revolves around having one's own food and land, which is associated with having the freedom to belong.

These gardens are a family affair. Inhabited places of hospitality, they replicate cooperative arrangements on a smaller scale. Seeds are planted to cater to the family's culinary preferences, and to produce ritual dishes in advance of Ramadan exchanges, while the sharing of crops reinforces family ties within the *'aila* (extended family) or the otherwise fragmented *hamula* (tribe). Only in the event of a surplus will a small amount of cash income be earned at the Bethlehem market. As intensive spaces of production, the gardens rely on investment in diversity and relatedness, in the form of crop rotation, fallow cultivation, management of crop combinations and relations (those that are positive and those to be avoided), the strategic use of shade, or special preparation of the soil to capture the summer dew.

In the *habba'il*, the *fellahin* not only produce and harvest a wide variety of crops, both domestic and wild. They also maintain the fertility of the soil by tenaciously spreading animal manure (notwithstanding the marginalisation of herders and animal breeding), storing scarce water supplies, optimising levels of moisture in the ground, and reproducing solidarity among their family or neighbourhood networks. Despite the highly fragmented and deterritorialised context, this reflects a coherent idea of "us" and community.

Local knowledge about *habba'il* cultivation is based, as are most peasant knowledge systems, on metaphorical understandings linked to *savoir faire* in terms of incorporated practices that are seldom transcribed into writing, but rather are reflected in (and condensed into) sets of proverbs, skills, and "ways of doing things" that comprise the surviving local repertoire of marginalised resources and techniques.

The proverb *'ali al tin, wati al zaitun* ("High grows the fig, lower the olives") is a condensation into the oral culture of a technique for pruning trees and of the historical "marriage between" and agricultural complementarity of two trees with a key role as dietary staples and identity markers. This is reflected, where this knowledge is conserved, in a particular construction of landscapes via everyday practices, whereby fig trees are ideally chosen to grow on higher ground and provide shade, while olive trees, for harvesting purposes among other reasons, should be planted immediately below them. Many work practices that are not recognised by agronomic science here represent elements of key wisdom for the local "moral community," defining how to be a good, wise, and "free" (*horr*) *fellah*. They mirror local perceptions of the moral and technical 'do's and don'ts' of farming to enhance farm productivity and sustainability, such as tree or crop combinations or rotation, or promiscuity between different crops to provide shade or facilitate vertical gardening—or, again, local notions of the warm (*hami*) or cold (*bard*) quality of the soil as a function of its moisture levels and absorption capacity.

From local embodied perspectives, *savoir faire* with "our own hands" is the pre-eminent value: it is essential to growing *baladi* food and also serves

Figure 7. The “freedom” to garden deriving from the *fellahin*’s own skill and knowledge, whose starting point is water and moisture.



Source: **author.**

as an identity marker setting the *fellahin* apart from Israeli farmers, seen as not knowing how to do anything without machines and chemicals. It includes the knowledge required to achieve self-sufficiency with scarce but circular resources, and the associated skill and expertise required to walk these disciplined farmlands, while ably circumventing check points and military control of grazing, harvesting, or night ploughing. Importantly, “knowing the land” also extends to familiarity with wild herbs, which continue to make a key contribution to the local diet.

Baladii thus spans multiple levels of significance: the home and the ritual production of the extended family in the everyday; local food, in a context where the dimensions of territory and environment are under threat; *baladii* in opposition to Israeli food in supermarkets; or even *baladii* as biological or organic food, whose producers reject the use of pesticides or chemical fertilisers, catering to the new preferences of both the Palestinian urban class and the international community, or even of groups of Israeli consumers in search of better and purer food, genuine crops, and sustainable relations with the land.⁷

⁷ This is typically the case in urban schemes based on short supply chains or farmers’ markets, whose purpose is to reconnect urban consumers with local farm produce—but also in permaculture or organic farming projects launched with a view to realigning consumers’ habits with the history of Palestinian farming practices.

Baladii thus signifies laying claim to localness, within a generalised lack of stable relations with lands that are subjected to expropriation or isolation. It is a 'local dimension' whose strong symbolic meaning is shared with other parts of the world, but is experienced even more intensely here, by the farmers and peasants on these small hills, as "an ongoing struggle for autonomy and progress in a context characterised by multiple patterns of dependency and associated processes of exploitation and marginalization" (van der Ploeg 2008). Indeed, its main distinguishing feature is a relationship with the environment that emphasises guarding, sparing, and making circular use of resources, while acknowledging human interdependence with the many non-human actors that come into play even in the microcosm of a small garden.

According to another proverb, *al 'adas biwashwash, ua al bikia bitnadi*, meaning "lentils whisper, spinach loudly calls." Although lentils are not as frequently produced as many other historical crops or grains (such as *simsim* or wheat), this saying evokes the sowing techniques applied with rainfed *baladii* seeds, whereby some crops need to be deeply rooted while others require shallow planting close to the surface of the land, as a function of soil type and the plot's exposure to the sun, wind, rain, and weather in general. Merely by spending time in these work and social spaces, one can witness the importance of local seed reproduction in place of purchasing irrigated market seeds for specific cultivars. As one *fellah* explained in reference to local seeds: "*bizr baladii bint al mintaq*." That is to say, *baladii* seeds are the "daughter of the place," an idiom suggesting that they are locally perceived as context-bound—as opposed to context-free—with respect to their environment and local history, albeit with the potential to flexibly adapt to local weather and water availability.

These agri/cultural patterns are neither ideal nor frozen in time as naturalised traditions, but rather are typical instances of human-environment co-production uninformed by an ideal of nature as a separate domain, that rather assumes interdependence and reciprocity vis-à-vis other environmental actors, with an emphasis on the limits and dynamic relations that characterise farming work.

The colonial encounter as environmental encounter

The symbolic and material appropriation of "nature" lies at the root of the colonial encounter. It is interesting to rediscover how the first encounters with Zionist farming communities a century ago, in the 1920s, were clearly informed by an evolutionary perspective viewing the indigenous Palestinian population as an icon of backward and primitive farming that needed to be replaced. Nonetheless, these social encounters also functioned to humanise the *fellahin*

and bring to light their ancient patterns of adaptation to the environment. This contrasts with the “peace process” of recent decades, in which segregation and the dehumanising of the Palestinian Other have become the leading features.

In the 1920s, a Polish agronomist El Ezari Vulcani—a scientist and experimental researcher in early agronomic techniques for farming in dry climates and founder of the first experimental “modern farm”, later renamed the Agricultural Research Station—worked alongside *fellahin* on their local traditional farming practices in an intensive encounter with Palestinian labourers. Vulcani was conducting an applied study on modern farming when he came into contact with “primitive” Palestinian dry and rainfed farming in what subsequently became Israel and the occupied territories. Notwithstanding the evolutionary model within which he framed modern farming, with local *fellahin* and their system of farming in a fragile, arid environment seen mainly as an obstacle to development, he also felt bound to praise the *fellah’s* relationship with water: “the secret of his improvement is the skilful storing of the water in the layers of the earth, and the economic use of it” (Vulcani 1930,15).

Indeed, the subsequent meanings of *baladii* (food) developed from the historical, asymmetrical colonial encounter between the *fellahin* (and *bedu*) and the *kibbutzim* at the turn of the last century. This encounter was marked by the perceived inferior status of “primitive” local techniques, which were to be supplanted; yet hand in hand with this attitude went admiring recognition of their adaptability to the environment and their sustainability in the face of vulnerable resources for making food.

Vulcani also observed local farming practices in his study *The Fella Farm* (Vulcani, 1930), wherein he praised local knowledge and low-tech practices for their contribution to sparing water in semi-arid settings, as well as the *fellahin’s* studied and skilful re-utilisation of scarce resources, which was not informed by a naturalist perspective positing infinite and available resources. Based on an evolutionary understanding of the native population, he condemned the “*fellah’s* primitive farms,” yet in the encounter with local farmers, could not help admiring their work patterns and *savoir faire*:

The whole farm of the Fella forms an organic unity. Everything is produced in it by its own powers: he is not dependent on any external economic factors (...) His world is not governed by the principle of time is money, but by the principle of “preservation of matter”. He allows nothing to go to waste. Everything which appears to be lost returns to him after various transformations. (Vulcani 1930, 40)

These local skills were based on a recognition of the Other that tends to be denied in the contemporary politics of nature framed as technical endeavours and a linear modernisation process. Vulcani deemed that the *fellahin’s* techniques and local knowledge should be retained as part of the new experimental modern farming systems, and he could not but acknowledge how

skilled they were at sparing and storing water, collected using rainfed techniques and patterns of cooperative labour exchange linked to the historical unpredictability of the water supply in these territories.

Interestingly, Vulcani was later to become the Israeli national icon of modern agronomy and the scientific founder of colonial farming, a national symbol still today. Yet, his studies on the knowledge of local *fellahin* and their contribution to “modern farming” have long since been denied. This is despite the fact that the circular farming economy and eco-agronomy are currently being put forward as frameworks for farming systems that do not rely on fossil fuels, while Vulcani at the time of his original research was witness to an example of a highly circular farming system. The historical encounters of one century ago bring to light not only key patterns of relatedness with the environment as reflected in the local knowledge system and the active legacy of *al-murba’nia*, but also patterns of relatedness among Israelis and Palestinians, in the fields, around the themes of seed and water, in terms of a mutual, albeit asymmetrical, recognition that has been censored in recent decades.

Al-murba’nia: Weathering land and meanings

The memory of this ancient climate knowledge and agricultural calendar, associated with specific water practices and agricultural skills, is present in the recollections of community elders and is also active in everyday family farming practice. Local knowledge about the meanings and “habits” of weather in the fields encompasses not only deep familiarity with water collection schedules and techniques, but also sensory knowledge of the land, seeds, and fertiliser as well as the interrelatedness of these resources. Present in older texts but forgotten in the agronomic studies of the past half-century, local understandings of the circular flow of resources, starting from the weather and the air, remain key to understanding environmental change, in an everyday life context where autonomy is lacking.

As earlier stated, *al-murba’nia* stands for a complex schedule of winter rains, broadly classified as a 90-day season bound up with the need for water in an arid environment and agro-pastoral economy: the *khamsinia*, divided into four phases (*sa’ad*), is the period spanning the final 50 days, which sees the strategic implementation of work patterns, sowing, and other farm tasks as a function of fluctuations in the rain and cold. This weather knowledge system lays special emphasis on the beginning of winter as the inauguration of the new year, and a signal that the dry, rainless weather of the hot summer is about to be interrupted, prompting the *fellahin* to strategically time and refine their work practices as a function of highly variable winter weather patterns that demand flexible management.

The *fellahin*'s calendar for working the land has traditionally been organised around the rains, with time and space becoming a *rainsphere* that requires flexible and skilful farming to maximise water supplies for the longer, dry, hot summer season and protect the land from excesses of rain that could cause the erosion or destruction of terraced slopes. The scheduling of farm work has never been determined by market prices, the current political and economic restrictions, or aid funding to grow unsustainable market-oriented flowers, but rather by a more ancient cosmology that was intimately familiar with the unpredictability of the weather and the associated "fluxes" of water: a recognition of the different types of rains and their "proper timing" (Dalman 1928, 117) in terms of quality and quantity, in combination with patterns of frost, snow, dew, moisture, and the activity of multiple non-human agents on the ground, including types of wind, insects, and wild plants. And given that the calendar is mainly a *savoir faire* comprising a set of skills for inhabiting and farming arid conditions, it has reproduced itself via social practices in action, even in the face of radical changes in the social and environmental context of the bordered landmass that is the West Bank. Only refugees outside the region have crystallised this memory into their "cultural heritage" via oral accounts: in the West Bank itself, *al-murba'nia* is a set of practices and "down-to-air" patterns that has survived in the remaining few home gardens. It thus represents local social engagement with aridity and the potentials associated with unpredictable rainfall patterns, limitations, risks, and resources, whereby farming inevitably implies entanglement with other non-human forces.

The *shitta* (the term for both winter and rain) traditionally lasted 90 days beginning on 21 December. The most strategic tasks were carried out before and over the first 50 days, during the *khamsinia*: at this time, from 1 February to 21 March, land and seed were prepared and work cooperation initiated in advance of the rains. Over this time span the rain and cold would gradually intensify, and this period was divided into ideal phases lasting "12-and-a-half days" each. The first time that I received an oral account of the calendar, I was struck by what appeared to be the excessively precise measurement of the phases in terms of half-days. However, I later realised that rather than a rigid prediction, this was intended to encourage flexible management of a potentially disorienting variability in the timing and incidence of rainfall. As aptly expressed in a proverb recorded by Dalman: "One hour rain, one hour sun" (Dalman 1928, 122).

The entire calendar year is divided into seven fifty-day periods, termed *khamsinat*, which "are reminiscent of Gelenus and are not based on star constellations but on the feasts of the Christian calendar" (Dalman 1928, 51). Among these, the crucial fifty days of rain and cold are subdivided into four phases, known as *sa'ad*, "literally the four fortunes" (Qleibo 2009, 13). This weather model was informed by animist beliefs about Baal, the ancient god of fertility and rain, with weather rhythms incorporated into religious feasts as

social markers of both atmospheric events and shared farming knowledge. The variability of the rain is not only borne out by rainfall statistics, but also strongly reflected in Palestinian proverbs such as “*al-murba’ania* is a burning sun or a submerging rain!” (Kurzom 2012,12).

The first phase of *al-murba’ania*, named *sa’d al dhabih* (Capricorn), lasted from 1 February 1 to 12.5 February” and was characterised by an initial spell of intensifying cold, sometimes preceded by an east wind as an “arouser of rain.” This was followed by *sa’d al bala*, running from 12.5 February to– 25 February, and marked by the *khamsin* wind blowing from the western *badia* (arid land)—a cold but dry air current that contained less humidity than the east wind sweeping in from the sea. Indeed, February was often referred to as “the harbinger of summer” given that the increasing cold also preceded the end of the rainy winter and the initial growth of the newly sown crops in the fields.

Next came *sa’d al sau’d* (25 February to 8.5 March), a period that was strategically interrelated with *mustaqrida’att* (25 February to 4 March), when the land “warmed up” and “drank” or absorbed the rainwater. A final cold wind characterised this shift towards increasing warmth, notwithstanding the possibility of heavy rain and mud in the fields. Given that the last rains before the long rainless summer were often critically important, if water was scarce during the shortest month of February, then it was hoped that some might be “lent” to March, thereby “prolonging the [winter’s] age” (Kurzom 2012, 12). Last but not least, there was the period of *sa’d al khabaieh* (8.5 March to 21 March) “when snakes and scorpions (*khabaieh*) come out after their winter sleep,” characterised by further warming up of the land, the onset of milder temperatures, and key end-of-winter farming activities.⁸ The entire climate calendar, in apparent contradiction with the provision of a precise time schedule, has many different variations, which are probably related to the model’s context dependence (sensitivity to factors such as a given mountain valley’s distance from the sea or nearness to the Jordan Valley depression), in contrast with the context-free model of contemporary modernised farming.

The end of this liminal rainy period of “proper” versus risky rain is often depicted as a radical shift from aridity to luxuriantly blossoming “greenery.” *Khudra*—which bears the multiple meanings of the colour ‘green,’ ‘vegetables,’ ‘green growth,’ and more generally the ‘greenness’ of the landscape—is also the name for the start of summer. “The fertilizer of the year is March. March is its fertilizer, but also its barrenness” (Dalman 1928, 308), an ambivalence that

⁸ In some accounts, the *khamsin* wind arrives during this last phase leading into the first 50 days of summer.

Across different contexts and wadis, memories of the phases vary and this may be for three main reasons. The first, is intraregional variability in rainfall and consequent local adaptations of the *al-murba’nia* phases. The second is the nature of oral accounts, which are typically not classificatory but rely on metaphorical knowledge. Last, but not least, the falling into oblivion of *al-murba’nia* and oral accounts of it favours the proliferation of differing recollections of the phases in different areas.

played out yearly as a function of rainfall variability and the farmers' skill in working with it. This is the period when "the land warms up," as an old farmer in Battir used to tell me, which requires preparing the soil to retain moisture, collecting rainwater, taking protective measures against any late frosts, and flexibly reacting to fluctuating weather patterns. In sum, in this model, weather is not conceptualised as an indoor phenomenon under human control (as in contemporary greenhouse agriculture), but as relatedness with generations of adaptations to the unruly outdoor fluxes of the atmosphere. The "local saying, (...) "move hard with your land work, peasant, for there is no more time to count before the winter sets in", reminds the peasant that the countdown for winter is over" (Qleibo 2009,13).

The titles of the phases evoke not only a weather world, but an entire cosmology that was later assimilated into Islam, as well as into the other two monotheistic religions that originated in this land amid these weather patterns. This kind of syncretism is reflected in religious rituals, such as the Palestinian rites of spring and the Thursday of the Dead (Qleibo 2009, 18). In short, this "weather world" (Ingold 2010) established, in both moral and pragmatic terms, the collective and individual work needing to be done, as well as a complex set of shared meanings surrounding the much-admired seasonal greenness of the region's hills.

The traditional Palestinian weather calendar can be of use to us today in reading the relationship between cultures and weather environments, in light of key themes such as global warming, water scarcity, and social resilience to climate changes. First, it represents a historic social pattern of coping with extreme changes and unpredictability in weather. In these regions, 'crisis' periods have featured in farming knowledge and practice since antiquity. Second, it offers a knowledge of the weather based on the interplay of uncertainty and engaging in practical multisensory reconnaissance.

For generations, the inhabitants of these lands have been obliged to work with the variability of the winter rain and to manage uncertainty in order to make food and develop a sense of place. Their weather calendar, far from providing certainty and a basis upon which to reliably predict the weather, above all emphasised flexibly navigating one's way through the rains, given that "rain is unpredictable in its occurrence or absence" (Dalman 1928, 313). In short, it offered an approach to monitoring and responding to the erratic "coming and going" (Dalman 1928, 117) of atmospheric events, while taking into account the risks of premature rain, of frost and snow, and the strategic use of dew or shade in building farming spaces.

One of the main actors in weather is undoubtedly the wind, yet it is increasingly forgotten, not only in irrigated agriculture and 'indoor' agricultural models, but also in greenhouse agriculture that allows crops to be grown out of season

to meet the demands of a (closed) open market.⁹ Indeed, *al-murba'nia* defined weather as a medium for the social world on the ground, within which farmers could work to the best of their ability. It was a source of perturbation, in the positive and active sense of this term; a collective, generational experience that took place not only on the surface of the land but also in the atmosphere.

Working down to air

While “down to earth” is a good metaphor for how we practically care for the landed environment with which we are entangled, it reproduces an implicit disconnection from the weather world above us as a medium for human action. “Down to air” is a closer metaphorical representation of what we experience daily and of what the *al-murba'nia* has represented for centuries: the rooting of knowledge and experience in the air above us, and its relatedness with dwelling and farming on the ground. Today, denial of this entanglement is leading to global distress because it is accompanied by a void of meaning and the loss of a practical guide, a lack of familiarity that stands between our living and our consuming on the earth. We are confronted by troubling issues arising from our materialism, which may be seen as unmoored from both non-human agents and the upper environment. The landmass and the cultures rooted in it are viewed as a basis for certainty, stability, and a sense of permanence, yet *al-murba'nia* (as with other cases of local meteorological knowledge) shows that uncertain and flexible stability depends on strategically following the rhythms and phases of the local weather.

Al-murba'nia speaks of *relations*: symbolic meanings, farming practices, and relatedness with water and other non-human agents. The calendar prescribed three main down-to-earth practices for sowing plants with appropriate levels of moisture: harvesting water, understood as “harvesting weather,” reproducing and planting rainfed *ba'ali* seed via exposure to rain, and ploughing the land accordingly. Although today there appears to be no place for *al-murba'nia* in a context of intensive, irrigated agriculture and politically disconnected lands, it remains an active part of local *savoir faire* in family gardens.

⁹ Proverbs have served as the main tool for reproducing *savoir faire* concerning the different types of wind: “The south wind says: How many strong walls have I destroyed? The west wind says: How many streams have I made to flow? The east wind says: How many branches have I bent? The north wind says: How many youths have I made cry?” (Dalman 1928, 527). Yet, as Ingold writes, “to feel the wind, then, is to experience this commingling” (Ingold 2007, 529) as “fluxes of the medium” whereby our relationship with the weather is not based on “mutually exclusive hemispheres of sky and earth, separated by the ground” (Ingold 2007, 519).

Atmospheric seeds: *Ba'ali* and desired fertility

Ba'ali seeds are clearly differentiated from *muhaggan* market seeds: the former are obtained through rainfed farming and absorb less water, while the latter are irrigation-dependent and far more vulnerable to water stress. *Ba'ali* seeds are seldom available at markets, but rather are to be found in the pockets and gardens of farmers. They are collected during the appropriate season, often dried in the garden, initially sown on shady plots beside the home, then carefully transplanted to the *mashkabe* (a seed bed that is a subdivision of the *habba'il*) in the garden.

Ba'ali, or rainfed seed, has been reproduced under these specific weathered conditions by generations of farming people. The land where this seed has traditionally been planted is known as *ard ba'al* ("exposed to rain," Dalman 1928, 194), with the concept of exposure clearly expressing the system's rootedness in weather. However, *ba'ali* in recent decades has been perceived as unsuited to market requirements and has acquired, in the contemporary colonial setting, the meaning of local, or *baladii* ("of the village"). In parallel, via metonymic transliteration, it has also become an icon of "organic" and naturalness. *Ba'ali* seed is context- and practice-dependent: it originated and has been reproduced within *al-murba'nia* system of relatedness. Born of the affordances and related work practices of the air, rain, clouds, and winds of the winter,¹⁰ *ba'ali* is weather-dependent and weather-sensitive, needs to 'drink less' than other varieties, is well-adapted to the caprices of the winter rains, and suited to ad hoc techniques of deeper planting that leave a greater portion of the plant's stem in contact with the moisture in the ground.¹¹

Interestingly, the name of this kind of seed derives from the earlier-mentioned rain and fertility divinity of antiquity, Baal, a major deity in the Canaanite religion of the ancient Near East (Botica 201,: 97). This connection reflects the intimate relations between weather cycles, agriculture, fertility, and belief systems. Baal was "the bearer of rain," whether weather conditions were stormy, rain was bountiful, or drought struck; this meant that rain was a sacred blessing and drought a judgement. Today, *ba'ali* seed is not just a form of biodiversity that has survived in home gardens, but a shaping of seed in relation to the local weather world that allows small farmers to retain their local and family food supply as a synonym for being "free."

¹⁰ *Sefia* (summer crops) and *shittia* (winter crops) correspond to two main categories of seed that are not cultivated out of season but rather in rapport with dynamic seasonal weather patterns, and are not grown indoors but rather are exposed to the outdoor weather. Thus, the latter need cold while the former crave heat.

¹¹ These varieties are also associated with *mahshuf* (open) cultivation, as opposed to the irrigated in-door agriculture of greenhouses, which are covered off from potential rainfall by default.

Figure 8: A fellah proudly showing off a Battiri aubergine.



Source: **author.**

Harvesting water, harvesting weather

Al muhimm al bire! ("The most important thing is the cistern!") is a common-sense rule for anybody farming in the West Bank. Today, it refers to the need to store as much water as possible in a specially constructed cement cistern that represents a major cost for small landowners but is critical, given the increasing tendency for water supplies to be cut off and diverted to serve Israeli settlements. Hence, the current political context forces farmers to rely on the rainy season to harvest water even more so than in the past. *Al-murba'nia*, meanwhile, historically encompassed a set of practices and techniques for harvesting water—that is to say, for harvesting weather, in the form of wind, moisture, rain, and storms—and storing it. Such practices include maintaining, repairing, or carving out terraced land (*senasil*) to avoid sliding and erosion in case of heavy rain, and laying out the land so as to conduct rainwater to a common storage pool, where it is purified and kept for the long work of the summer. In the past, a *bire* was a water basin dug into rock and covered to prevent evaporation.

Figure 9: Old-style underground bire.



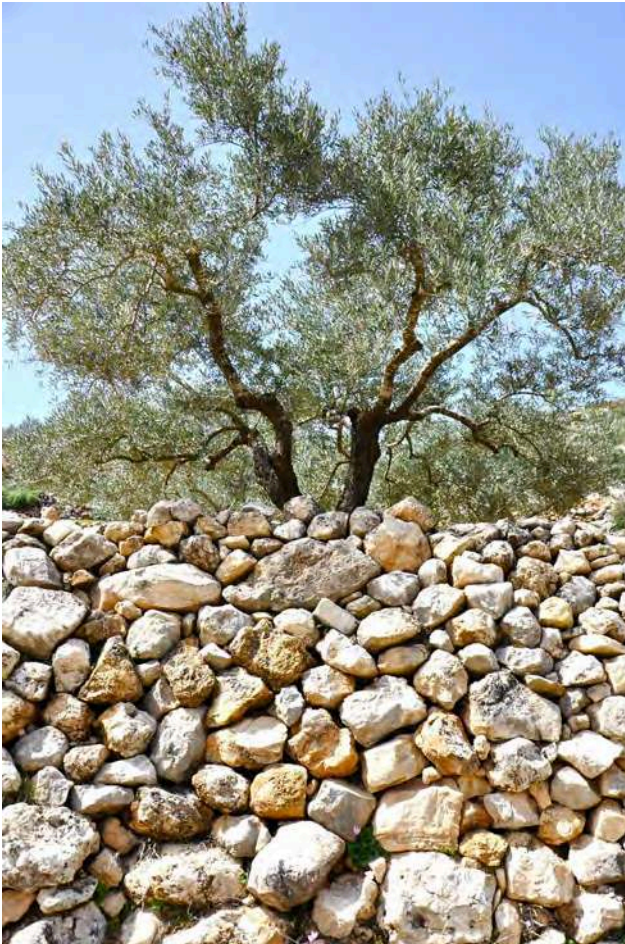
Source: **author.**

This denotes a historical intimacy with the need to guard each last drop of water, as observed one century ago by Dalman, based on local proverbs and landscapes: “Limited reserves in the cisterns and wells, a modest or bad harvest, an inadequate yield of grapes, figs and olives, are a certainty and one has to be careful to use water sparingly” (Dalman 1928, 306). Today, climate change and agro-ecology are once again pointing to the importance of such weathered skills, which express the relatedness of human action with weather and vulnerability in these lands. Collecting water has traditionally represented—and today, against a backdrop of intensifying competition for water, represents even more strongly—a harvesting of rain and weather by preparing the land network to store as much water as possible for the future summer season. *Al-murba’nia* rain calendar made this very clear by specifying the required preparatory work and framing these practices as a moral obligation. Of course, local knowledge of weather has apparently become irrelevant in the new cosmology of intensive, irrigated, indoor cultivation, which relies on aid funding, having distanced itself from local weather worlds.

Ploughing is another technique that is exploited to harvest moisture and optimise its absorption and storage deep in the ground. Hence, the ploughing calendar is also informed by the timeframe of *al-murba’nia* and designed to take account of weather fluxes. The mule-drawn plough vis-à-vis the modern

tractor is an icon of *fellah* primitivism, but notwithstanding this orientalist stereotype, it remains the superior technique for preparing the land in small and fragile terraced fields. Thus, it is still in great demand among small farmers and even among the Israeli colonists who recognise it as the most appropriate method for limiting damage to the terrain. Ploughing stands, amid dispossession and arbitrary land control, as an icon of independence, of knowing “how to do things”: ploughing at night to get around the Israeli army’s prohibition of it, ploughing as solidarity among families, ploughing as crucial source of seasonal income.

Figure 10: Senasil, drywall, or the art of constructing and maintaining the landscape.



Source: **author**.

Figure 11: Ploughing terraced land

Source: **author.**

The arrival of the rainy season is linked with the strategic timing of ploughing and techniques for the optimisation of moisture absorption in preparation for the dry season. For many vegetables, the first ploughing is termed *shkak* ("opening up the land") and takes place before the first rain in November, followed by *ithra* (in local dialects, also *itsara*), or "taking out the grass" in March. In between, we find *al-ithnaia*, "allowing the land to drink" after the first rainfall at the height of *al-murba'nia*, and if necessary, for the plants that need most water (e.g., *fakkus*¹²). Interestingly, the second main ploughing is carried out in a perpendicular direction to the first, facilitating greater absorption of moisture.

These agri/cultural practices, in their heterogeneity, far from being frozen or ideal, are contemporary examples of patterns of coproduction that span culture and environment, in which the symbolic meaning of human relatedness to other agents plays a crucial part in local productivity. The capability of local systems and networks to adapt to change, and to accommodate the complexity of gardening, point to the key need today, as local communities face uncertain futures, for institutional flexibility and ways of relating to the environment that deny neither relatedness nor change.

¹² A reference to a local variety of large cucumber that requires high levels of moisture.

Conclusions

A politics of nature stands at the heart of nationalist perspectives—a politics of planting, rooting, and up-rooting self and others in the name of technofix utopias—that lack the capacity to respond to environmental change, implying the need for a new shared pattern of knowledge and use of resources. Notwithstanding the development of borders “on the ground,” the Palestinian population and Israeli colonists and military forces all share the same overheating atmosphere, under and “after the last sky.” The construction of “nature” in Palestine has been entangled with the colonial imagination and colonial practices, as well as the *de facto* expropriation of Palestinians’ environmental resources.

As Ghosh aptly commented, “a broader imaginative and cultural failure [...] lies at the heart of the climate crisis” (Ghosh 2016, 8). This failure is implicit in the denial of environmental relatedness and of the different environmental actors, and in the managing of “nature” as though human societies were not part of the environment. But it also encompasses the loss of our capacity to “read” and relate at the social level to the atmosphere, which climate change is currently rendering even more distressingly unfamiliar and uncanny than before. Where we expected order and regular seasons, we realise instead that “everything is changing”; hence the unthinkable character of the current environmental scenario.

The historical legacy of *al-murbaʿnia*, which survives in the oral tradition and the *savoir faire* of some local farmers, denotes an imaginative and cultural capacity to dwell in an atmosphere that is not viewed as ordered equilibrium, but as a succession of unpredictable arid and wetter periods, where by definition seasons are made up of change. It represents a pattern of shared meanings and a work calendar that illustrate how local cultures can make sense of erratic living forces and dwell in weathered environments. More specifically, these cultures imagine weather as familiar and domesticated, as part of a system of limits and affordances that contributes to defining belonging, even in displacement.

Such local knowledge of a weathered world challenges our own ambivalent model, including within the social sciences, whereby we manage the material as a stable fundament, viewing the dynamism of the immaterial and aerial as mere instability, invisibility, or meaninglessness. In contrast, Palestinian peasant memories and down-to-earth *savoir faire* in the fields invite us to adopt a “down-to-air” perspective and practices of relatedness.

Decolonising must go hand in hand with decarbonising social models and imagination in understanding Palestine and, even more, in the Western fossil cosmology. The notion of nature, and its uses and abuses, as an object that is external to relations and relatedness, turns out to be one of the main ideological tools that has been deployed to naturalise the political processes at stake in this region.

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Section Three

Refugees and Diaspora

Chapter Nine

The Actuality of the Palestinian Refugee Question: An International Law Perspective

Francesca P. Albanese and Lex Takkenberg

Palestinian refugees are legitimate refugees under the international refugee regime, although for historical and political reasons, they enjoy a distinctive set of arrangements for their assistance and protection under international law, which this chapter discusses. The text demonstrates that the historic rights of Palestinian refugees – to return, restitution and compensation – are well established in international law, as are their other rights and entitlements to international protection. In spite of this, displacement and dispossession of Palestinians in the West Bank and Gaza has continued since 1948, living conditions for many of them in Arab host countries have progressively worsened, and millions continue to live in limbo as stateless persons and threatened by forcible displacement, especially in the MENA region. All of them share the lack of enjoyment of a comprehensive solution to their plight and, as the rest of the Palestinian people, of self-determination in a Palestinian state. The international refugee regime sets out the framework for a resolution of the Palestinian refugee question but the lack of political will has prevented any real progress for the past 70 years, with Trump's 'Deal of the Century' marking an all-time low. As the current stalemate is untenable, the authors suggest a fundamental paradigm shift in the way solutions are approached, taking advantage of the 2016 New York Declaration on Refugees and Migrants and the 2018 Global Compact on Refugees.



38 Days of Re-Collection

2014 | A constellation of black-and-white film negatives (created from digital images), printed on B&W photo emulsion spread on fragments of painted walls collected from homes in Jerusalem's Old City. The photographs were taken in a Palestinian home under occupation since 1948.

Source: **Steve Sabella**, <https://stevesabella.space/pages/38-days-of-re-collection>

Introduction

In 2018, the unresolved exile of the Palestinian refugees entered its eighth decade, with refugees into their third or even fourth generation. Nowadays, Palestinian refugees (around 7.5 million) account for the largest group of refugees globally,¹ the majority of whom are also stateless, caught in the most protracted refugee situation in modern history. Unlike other refugees, their situation and status are often discussed in the realm (and through the lens) of politics instead of on the basis of their rights.² This undermines both their quest for justice and day-by-day protection. In many respects, Palestinians have been the *bête noire* of refugee studies, with some still questioning whether they should be considered “genuine” refugees at all, and therefore whether they deserve the protection that international law offers to refugees. For decades since their original flight, confusion around their status as refugees has made the application of the 1951 Convention Relating to the Status of Refugees (the 1951 Convention)³ to Palestinian refugees’ problematic. The relevance of other branches of international law has also remained disputed or under-utilised in this particular group’s case. In fact, for historical and political reasons, Palestinian refugees enjoy distinctive normative and institutional arrangements *within* the international refugee regime: these arrangements provide for their specific protection as refugees, rather than leaving them unprotected.

Palestinians in general, because they lack a fully sovereign independent state, and refugees in particular, because of the additional issue of their dispersal, are a difficult constituency to protect. They fall under a myriad of regimes, each with different legal statuses and institutional arrangements, and are often discriminated against as Palestinians. Sometimes this discrimination is directly manifested (e.g., “positive discrimination” against Palestinians in Arab countries) and sometimes it occurs in forms that are more obscure or muted. Discrimination frequently has been shaped by political circumstances surrounding the Israeli-Palestinian conflict and host countries’ attitude towards the Palestinian leadership, such as the Palestine Liberation Organization (PLO). In situations where Palestinians continue to flee the Middle East, for example in response to the conflicts in Iraq or Syria, many face discrimination because those adjudicating their asylum requests may have a poor understanding of the historical background and their current status under international law.

¹ The total number of other refugees stuck in protracted refugee situations and protected by UNHCR nears 16 million, representing over two-thirds of the total 20 million refugees worldwide. UNHCR. Global Trends: Forced Displacement in 2018. 20 June 2019, 22.

² In this chapter the term “status” is used as a synonym for “legal position”; in other words, as the sum total of the rights, benefits, and obligations due to a certain subject by virtue of the rules of law, in this case international law.

³ Convention Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series 189:137.

This chapter discusses the relevance of international law to Palestinian refugees. It argues that international law sets out the rights they have—as refugees, stateless persons, civilians in situations of armed conflict, and simply as human beings—as well as the arrangements put in place for their protection so long as their situation remains unresolved. Often forgotten is that international law also provides the framework for pursuing the quest for durable solutions, which are the ultimate aim of international protection. Durable solutions involve achieving a situation in which refugee status comes to an end through restoration (in case of voluntary repatriation to the country of origin) and/or establishment (in case of integration in host countries or resettlement in third countries) of access to national protection by a state that the former refugee can call home. Whilst this represents a cornerstone of the international refugee regime, with respect to Palestinian refugees and since the Oslo Accords (1993–5), the quest for solutions has been dominated by the asymmetry of power between the parties—on top of political expedience at the expense of the interests of the refugees, which in the process marginalises the significance of international protection.

Against this background, former President Donald Trump’s “Deal of the Century” marks the lowest point ever with respect to solutions that would take into account the refugees’ rights and aspirations. Through this “Deal”, its masterminds have embraced an extreme colonialist agenda, paving the way for further annexation of Palestinian land, doing away with international law and long-standing international consensus with respect to resolving the question of Palestine, and *de facto* obliterating the refugee issue. This reality—the realisation that for over seven decades no progress has been made—and the belief that doing nothing is not an option requires what the authors call a fundamental ‘paradigm shift’ with respect to protection and to the question of solutions for Palestinian refugees. This requires seizing the opportunities offered by the 2016 New York Declaration on Refugees and Migrants⁴ and the 2018 Global Compact on Refugees (see Türk 2018).⁵

This chapter argues that, while international law is not a panacea for all problems and challenges with respect to the Palestinian refugee issue, awareness of their rights, status, and related vulnerabilities may help turn the political tide in favour of the realisation of their effective protection. After this introduction, the next section clarifies who Palestinian refugees are, dispelling confusion about applicable definitions and institutional arrangements. The following section discusses the origins and features of their ‘distinctiveness’ in the international refugee regime, which is fundamental to clarify their status

⁴ UNGA res. A/71/1, adopted on 19 September 2016.

⁵ Report of the UNHCR to the General Assembly, OR, 73rd Session, suppl. 12. In its resolution adopted on 17 December 2018 (UN doc A/RES/73/151), the UNGA affirmed the Global Compact, underscored its importance as an expression of political will, and called upon the international community as a whole to implement it.

under international law. The third section briefly discusses the relevance of various branches of international law for their protection. The fourth section offers suggestions for renewed consideration of the pursuit of solutions for the Palestinian refugees. Some concluding observations are offered in this chapter's final section.

Framing the issues: Who are the Palestinian refugees?

In recent decades, political decisions and statements—mainly in the US, but also in other, mostly Western states—have increasingly portrayed Palestinian refugees as somehow not “legitimate” refugees, different from other internationally recognised refugees (Albanese 2018, para 21-27). Criticism of their status is particularly directed to the fact that descendants of the refugees displaced from British Mandate Palestine in 1948 maintain their refugee status across generations. These critiques have no foundation in international refugee law and practice and have contributed to creating confusion around who Palestinian refugees are and what they are entitled to.

Palestinian refugees are persons who were displaced in relation to the conflict over Palestine (in 1947-49 and 1967) including their descendants, whose situation still remains to be settled in line with relevant United Nations (UN) resolutions (see discussion *infra*). First and foremost, this includes the persons (holding British Mandate citizenship since 1925 and Ottoman nationality before that) who were displaced from the territory of British Mandate Palestine subsequently designated as Israel, the West Bank, and the Gaza Strip, respectively, to neighbouring countries (Jordan, Lebanon, and Syria), as well as the West Bank and the Gaza Strip, in connection with the creation of the State of Israel in 1947-49 (also referred to as “first Arab-Israeli war” of 1948) (Kattan 2009). Small numbers also fled to Egypt and Iraq. In 1948, the UN General Assembly (UNGA) resolved, in resolution 194, paragraph 11,

that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.

Yet, in the years surrounding the creation of the State of Israel, despite being willing to return to their “homes”, approximately 750,000 Palestine refugees were prevented from doing so by virtue of laws enacted by Israel between 1948-52, which resulted in their denationalisation as well as the confiscation and disposition of refugee property that survived the hostilities. Contrary to

common belief, resolution 194 did not *create* the right of return for the “Arab refugees” (i.e., Palestinian refugees). Rather, it limited itself to refer to a right that existed in international law as it stood at the time.⁶ Such a right flows from the illegality of the forced displacement, prohibition of the refugee’s repatriation, and acts of violence that were committed against the Arab civilian population of Palestine by Zionist paramilitary and, subsequently, by Israeli military forces, as is well documented, including by Israeli historians (Morris 1987; Flapan 1987).

Well before 1948, disruption of people’s and family life, and arbitrary destruction or seizure of private property during armed hostilities, were considered illegal.⁷ Pillage, including looting, plunder, or sacking by soldiers, carried out collectively or individually, was absolutely prohibited.⁸ Violation of these norms resulted in individual criminal responsibility of the perpetrators, as well as an obligation on the responsible state to compensate the victims.⁹ Deportations and other inhumane acts committed against civilian populations before or during war were considered a “war crime” and a “crime against humanity,” as confirmed by the Charter of the Nuremberg Tribunal and the jurisprudence rendered during the War Crimes Trials (1945–46).¹⁰ This legal framework was common knowledge among the drafters of resolution 194, who limited themselves to *reaffirming* what were considered norms of customary international law.¹¹ The obligation to make reparations in the form of restitution and compensation that “as far as possible, wipe[s] out all the consequences of the illegal act and re-establish[es] the situation which would, in all probability, have existed if that act had not been committed” had already been established as a general principle of international law.¹² The drafting history of resolution 194 (and the authoritative interpretation provided by the United Nations Conciliation Commission for Palestine (UNCCP) fully supports this argument.¹³

⁶ First and foremost, the Hague Convention (IV) Respecting the Laws and Customs of War on Land and Its Annex: Regulations Concerning the Laws and Customs of War on Land, 18 Oct. 1907.

⁷ Hague Regulations, *supra* note 8, art. 46 and 23(g) respectively.

⁸ *Ibid.*, art. 28 and 46.

⁹ Hague Convention, *supra* note 8, art. 3.

¹⁰ The Nuremberg and Tokyo trials referred to the Hague Conventions as constituting customary international law. See: The Trial of German Major War Criminals: Proceedings of the International Military Tribunal Sitting at Nuremberg, Germany, especially Part 22, judgment, 22nd August, 1946 to 31st August, 1946, 30th September, 1946 and 1st October, 1946 (London: published under the authority of H.M. Attorney-General by His Majesty’s Stationery Office, 1950); and The Tokyo Major War Crimes Trial: The Judgment, Separate Opinions, Proceedings in Chambers, Appeals and Reviews of the International Military Tribunal for the Far East, Annotated, Compiled and Edited by R. John Pritchard, A Collection in 124 Volumes, New York: The Edwin Mellon Press (1998).

¹¹ Progress Report of the UN Mediator for Palestine, GAOR, 3rd Sess. Supp. 11, UN Doc. A/648, at Pt. 1, V, paras. 2, 6–8.

¹² Permanent Court of International Justice (PCIJ), Case concerning the factory at Chorzów, Germany v Poland, Judgment, Claim for Indemnity, Merits, Judgment No 13, (1928) PCIJ Series A No 17, ICGJ 255 (PCIJ 1928), 13 Sep. 1928.

¹³ For example, see UNCCP, Historical Survey of Efforts of the United Nations Conciliation Commission for Palestine to Secure the Implementation of Paragraph 11 of General Assembly Resolution 194 (III), Question Of Compensation, UN doc A/AC.25/W/81/Rev.2, 2 October 1961.

Nonetheless, from 1948 onward Israel passed a number of laws and enacted policies that dispossessed the refugees of their properties. Particularly, after enacting a Law of Return in 1950,¹⁴ which encouraged the immigration of Jews from all over the world to the State of Israel, Israel also promulgated its Nationality Law in 1952.¹⁵ By stipulating conditions that the Palestinian refugees could not fulfil, this law *de facto* barred them from returning to the land they had been displaced from as “Palestine citizens.”

Further mass refugee flows (numbering between 350,000–400,000 people) from the remainder of the territory of former British Mandate Palestine territory—i.e., the West Bank and the Gaza Strip, which had each fallen under Jordanian and Egyptian rule after their respective armistice agreements were signed with Israel in 1949—were generated by subsequent conflicts, such as the one in 1967 (also known as “second Arab-Israeli war”) that ended with Israeli occupation of the remaining territory. These refugees are commonly referred to by the UN as “persons displaced as a result of the June 1967 and subsequent hostilities” or “1967 displaced” *tout court*, instead of “refugees.” Reference to the 1967 refugees as “displaced persons” also has a historical reason: Jordan—where the majority of these refugees were displaced to—considered them to be internally displaced, since it had annexed the West Bank in the aftermath of the 1948 Arab-Israeli war and considered it an integral part of its territory. Nevertheless, besides this misnomer, they are refugees for the purpose of international law. Also in their case, the UNGA expressed the need for them to “return” to their homes and for a “just settlement” of their question.¹⁶

Since 1948 and 1967, respectively, the Palestinian refugees have not been allowed to return and their situation is still to be resolved in accordance with relevant resolutions of the United Nations (e.g., UNGA resolutions 194 of 1948, 302 of 1949, 2252 of 1967, and UN Security Council resolution 237 of 1967). These resolutions all recommend durable solutions for Palestinian refugees—i.e. the return of the refugees willing to do so, or their resettlement elsewhere—and have been repeated or recalled hundreds of times by both the UNGA and the UN Security Council (UNSC); they are considered landmarks in the resolution of the Palestinian refugee question. However, neither UN-led peace negotiations (1949–1952), nor years of Palestinian mobilisation (1960–1980s) and direct negotiations with Israel (1990s–2010s) have resulted in the achievement of any durable solutions for the refugees, or in any compensation for their losses (Rex 2008; Chiller-Glaus 2007). Israel’s intransigence in considering any significant return of the refugees, and the political concerns of the PLO, refugees, Arab host governments, and Western states, have also made

¹⁴ Israel: The Law of Return 5710–1950, 5 July 1950.

¹⁵ Israel: Nationality Law, 5712–1952, 14 July 1953.

¹⁶ See UNGA Resolution 2252 (ES-V), 4 July 1967, and UNGA Resolution 2452 (XXIII)A, 19 December 1968. See also UNSC Resolution 242 of 22 November 1967.

other durable solutions impracticable, such as local integration or third-country resettlement.

A tiny minority of the Palestinians who became refugees in 1948 are still alive; most of them, with their children, grand-children, and sometimes great-grandchildren, still reside in the countries and territory in which they, or their immediate ancestors, took refuge in 1948 and 1967. Among these refugees, some 5.6 million “Palestine refugees” are registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), in Jordan, Lebanon, and Syria, as well as in the Gaza Strip and the West Bank.¹⁷ In addition to the UNRWA-registered refugees, there are reportedly about one million non-(UNRWA) registered 1948 refugees and one million 1967 refugees (the latter were never registered as “refugees” with UNRWA, which argues that its mandate only extends to the refugees displaced in 1948).¹⁸ Worth noting is that distinction is often drawn between “Palestine” and “Palestinian” refugees, where the former refers to refugees under UNRWA’s mandate (see UNRWA definition, *infra*) and the latter refers to refugees of Palestinian origin—hence the term is both wider and narrower than “Palestine refugees.” In the UN High Commissioner for Refugee (UNHCR)’s interpretation of Article 1D of the 1951 Convention, the term “Palestinian refugee” is used indistinctively to refer to Palestine refugees and 1967 displaced persons,¹⁹ and so it is used in this chapter.

Since the 1950s, increasing numbers have migrated to other countries in the Arab world and—following instability, poverty, discrimination, and often persecution in that region—in smaller numbers, to Europe and the Americas and progressively further afield, including the Asia Pacific and Africa (Albanese & Takkenberg 2020).²⁰ Nowadays there are about 7.5 million Palestinian refugees (mainly from 1948 or 1967) dispersed in the Arab region and beyond, on top of 4.5 million Palestinians in occupied Palestine, of whom half are 1948 refugees. Their status and documentation often make many of them statistically invisible, especially outside UNRWA’s area of operation which makes their dispersal difficult to track.

¹⁷ Most of UNRWA registered refugees are in Jordan (2.2 million), the Gaza Strip (1.4 million), the West Bank (840,000), Syria (550,000 prior to the war; after which approx. 120,000 have left the country), and Lebanon (472,000 registered, of which less than 200,000 are reportedly still in the country).

¹⁸ These figures are in BADIL, Closing the Protection Gap, Handbook on Protection of Palestinian Refugees in States Signatories to the 1951 Convention, BADIL, 3rd edition (2015), 7. To this count BADIL adds an unknown number of refugees displaced outside of the West Bank, East Jerusalem, and the Gaza Strip since 1967.

¹⁹ UNHCR, Guidelines on International Protection No. 13: Applicability of Article 1D of the 1951 Convention Relating to the Status of Refugees to Palestinian Refugees, December 2017, HCR/GIP/16/12 [hereinafter ‘UNHCR, GIP 13’], para. 9.

²⁰ Chapter 5 in particular.

The “distinctiveness” of Palestinian refugees under international law

In many respects, the fate and needs of Palestinian refugees are different from that of millions of other displaced from violent conflicts and human rights abuses of recent history. Like others, they have experienced losses, violence, deprivation, and fragmentation of individual ties and social fabric, both at the time of displacement and throughout their exile. Unlike others, however, when they became refugees, they also lost their homeland; the land that they had called “Palestine” and “home” until then, and that was slated for self-determination since the League of Nations’ Mandate era (1922). Moreover, Palestinians as a people continue to experience violations at the hand of the state that was established on the largest portion of their homeland: Israel. Also, unlike any of the other 20 million refugees worldwide today, they do not automatically fall under the definition of the term “refugee” as stipulated in Article 1A[2] of the 1951 Convention, which hinges on a person being outside his or her country of nationality or, if stateless, his or her country of former habitual residence, out of “well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion.”²¹ The reasons for this distinctiveness are rooted in the history of the international refugee regime and the specificities of the Palestinian refugees in it.

In 1949, while the UNHCR Statute²² and the 1951 Convention—which, together with the 1967 Protocol, cumulatively set out the international protection regime for refugees—were still being drafted, the UN had already deliberated how to resolve the question of the refugees from Palestine. This included first and foremost, the UNGA’s decision to establish the UNCCP (*supra*) with the aim of negotiating a comprehensive solution to the Israel-Palestine conflict.²³ The UNCCP’s tasks included overseeing the resolution of the refugee problem through the return of those willing to live at peace with their (Jewish) neighbours and providing compensation for both returnees and those not wishing to return.²⁴ After several peace conferences in 1949 and 1950 under UNCCP auspices, it soon became clear that peace between Israel and the Arab states would prove unattainable in the short term. Among other factors, disagreement around the fate of the refugees (who had to be absorbed in Arab countries, according to Israel, and repatriated to Israel, according to the Arab states) played an important role. In the meantime, mechanisms to provide immediate

²¹ See *supra* note 3.

²² Statute of the Office of the United Nations High Commissioner for Refugees, 14 December 1950, UN Doc A/RES/428(V).

²³ UN General Assembly, 194 (III). Palestine - Progress Report of the United Nations Mediator, 11 December 1948, A/RES/194.

²⁴ *Ibid.*, para.11.

assistance and relief to the refugees of Palestine were devised, the most lasting of which is UNRWA.²⁵

The nature of UNRWA's mandate was initially construed to complement that of UNCCP and therefore did not include the pursuit of international protection along the lines of UNHCR. The latter, which was initially set up to find durable solutions for the million refugees from Europe (mainly through local integration), had an explicit legal protection mandate tailored to the circumstances of the refugees it had to assist, who—unlike Palestinian refugees—needed their legal status in their “host country” to be regularised. Conversely, Palestinian refugees had been granted safe access and needed to be assisted to voluntarily repatriate (this is what the majority of them then demanded), regain control of their possessions left behind in Israel, be provided with assistance in the meantime to survive the harsh conditions in the precarious refugee camps where they were scattered. While UNCCP struggled to advance a mutually agreed solution between the parties, UNRWA merely supported that function under UNCCP's aegis. It partly did so through the implementation of work programmes across the Near East and support to Palestinian refugees migrating across the Arab world for work, in addition to providing continued relief (previously extended by UNRWA's predecessors).

In hindsight, the creation of UNCCP and UNRWA that today looks so unique, mirrors the ad hoc arrangements that characterised the responses to the mass displacement of the interwar period²⁶ (Goodwin-Gill and McAdam 2007, 421). Even UNHCR, which is now recognised as the UN entity dealing with global refugee problems, was at the outset not intended to be universal in scope. It was created to solve the problem of refugees after the Second World War (temporal limitation), specifically in Europe (geographic limitation) (Holborn 1975, 31). It was only with the adoption of the 1967 Protocol that these temporal and geographical limitations were removed. During the drafting of the UNHCR Statute and the 1951 Convention, it was already clear that UNCCP and UNRWA would have different mandates than that of UNHCR, owing to the different context and needs of the respective populations of concern to the respective entities. Unlike most of the (European) Second World War refugees falling under UNHCR's mandate, in 1951 Palestinian refugees had already been admitted into host countries; hence, the need for diplomatic or consular protection, or any “direct intervention” with host countries on their behalf was limited. As such, the international protection of Palestinian refugees' rights in the host countries was not a major issue at the beginning of their exile. As discussed below, this would

²⁵ UN General Assembly Resolution 302 (IV), Assistance to Palestine Refugees, 8 December 1949, A/RES/302.

²⁶ Until the Second World War, refugee crises, while not rare, were typically dealt with through ad hoc treaties and arrangements, implemented under the authority of ad hoc institutions. For example, in response to the Russian and Armenian refugee crises in 1921 and 1924 respectively, a number of arrangements were concluded both at intergovernmental level and under the auspices of the League of Nations.

intensify with the protracted lack of durable solutions and the increasing politicisation of their cause, especially through the rise and consolidation of the PLO.

This is why the drafters of the UNHCR Statute and 1951 Convention (particularly the Arab states among them), while never disputing that Palestinian refugees were proper 'refugees', demanded that they remain 'outside' the scope of these instruments, as responsibility for them had already been entrusted to *ad hoc* UN organisations (UNCCP and UNRWA). These organisations would subject them to the UN's special attention and work towards resolving their situation according to the specific circumstances of their flight. This was reflected in Article 1D, first sentence, of the 1951 Convention (*infra*). Incidentally, this would also serve the purpose of maintaining the focus on the Palestinian refugee issue as both a humanitarian and political responsibility of the UN, resulting from its 1947 proposal to partition Palestine between the Arab (indigenous) majority and the Jewish (largely immigrant) minority and the resulting violence that escalated in May 1948 into the first Arab-Israeli war. However, the *travaux préparatoires* of the 1951 Convention in particular (which was adopted at a time when the challenges of achieving peace in Palestine and settling the refugee question had already manifested, compared to the drafting of the 1949 UNHCR Statute) indicate that the Palestinian refugees' exclusion from the international refugee regime was only to be *temporary*. As reflected in the second paragraph of Article 1D (*infra*), this exclusion would last as long as they were assisted and protected by UNCCP and UNRWA.

In spite of this conditional exclusion of Palestinian refugees from the mandate of UNHCR and the application of the 1951 Convention, the mandates of UNCCP and UNRWA were to deliver international assistance and protection (including solutions) to Palestinian refugees, but in a way that was specific to their case. The *travaux préparatoires* of the UNHCR Statute and the 1951 Convention, as well as other historical records, confirm that, since 1948, "Palestine refugees"—as the original documents referred to them—were considered internationally recognised refugees (as a group, not as individuals), similar to the so-called Statutory Refugees referred to in Article 1[A]1 of the 1951 Convention (i.e., those refugees who predated the entry into force of the 1951 Convention and were recognised as in need of international protection). Because of the UN's responsibility in creating (or not preventing) their exodus, they were recognised as deserving both special UN attention and status.²⁷ The regime devised in the UNHCR Statute,²⁸ the 1951 Convention,²⁹ and the 1954

²⁷ Unlike other refugees, Palestine refugees were not "the results of action taken contrary to the principles of the United Nations", but "the direct result of a decision taken by the United Nations itself"; as such, they were a "direct responsibility of the United Nations" and "could not be placed in the general category of refugees without betrayal of that responsibility." See statement of the representative of the government of Lebanon GAOR, 5th sess., 3rd comm., 328th mtg., para. 47.

²⁸ Paragraph 7 of the UNHCR statute states: "Provided that the competence of the High Commissioner as defined in paragraph 6 above shall not extend to a person: . . . (c) Who continues to receive from other organs or agencies of the United Nations protection or assistance."

²⁹ CSR51, art 1D.

Convention Relating to the Status of Stateless Persons (the 1954 Convention)³⁰ treated Palestinian refugees as a “*sui generis* class of refugees”;³¹ in other words, as a special category within the overall framework of the international refugee regime. This regime is exemplified by Article 1D of the 1951 Convention that consists of two consecutive sentences, stipulating:

This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance. When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall *ipso facto* be entitled to the benefits of this Convention.

In a nutshell, while Article 1D’s first sentence *excludes* from the benefits of the 1951 Convention those refugees who are assisted and protected by other UN agencies (ergo, Palestinian refugees since they were already served by UNCCP and UNRWA), in accordance with the second sentence these refugees fall automatically (i.e., *ipso facto*) under the scope of the 1951 Convention—and the purview of UNHCR—should the alternative UN assistance or protection arrangements (from UNRWA and UNCCP) for them cease for any reason. Cessation is not only intended as “end of the mandate” or termination of the agency; under such a regime, the 1951 Convention (as well as the 1954 Convention and UNHCR Statute) apply to Palestine refugees when they find themselves outside of the area of operations of UNRWA and are unable or unwilling to re-avail themselves of UNRWA’s protection for objective reasons.³² By doing so, the intention of the drafters was to ensure “continuity of protection” of these refugees.³³

So, unlike other refugees that derive their status from Article 1A(2) of the 1951 Convention, the legal status of Palestinian refugees under international law is rooted in a combination of provisions, primarily Article 1D of the 1951 Convention. The latter provision is complemented by the definition of Palestine/Palestinian refugee that was developed during the period 1949–1951 by the Secretariat of the UNCCP (for the purpose of international protection, primarily

³⁰ Convention Relating to the Status of Stateless Persons, 28 September 1954, United Nations, Treaty Series, vol. 360, p. 117, Article 1[2].

³¹ UNHCR, GIP 13, *supra* note 23, para. 6 [emphasis added].

³² This emerges from UNHCR’s interpretation of Article 1D and EU jurisprudence. According to the Court of Justice of the European Union in *El-Kott*, the “objective reasons” that may force a Palestinian refugee to leave, or prevent him or her from returning and re-availing him/herself of UNRWA’s assistance or protection, must be “reasons beyond his control” and “independent of his volition.” This would occur not only in case of termination of UNRWA’s mandate as a whole (the end of its existence), but also by the agency’s inability to carry out its mission (the end of assistance/protection). Mere absence or voluntary departure from UNRWA’s area of operations—i.e., to study, to work—cannot be sufficient to ensure the benefits of the 1951 Convention, the Court says. Cf. *Mostafa Abed El Karem El Kott and Others v. Bevándorlási és Állampolgársági Hivatal* (‘*El Kott*’), C-364/11, CJEU, 19 Dec. 2012, paras. 49, 56, 58 and 61. UNHCR GIP 13, *supra* note 23, para. 19, 27. This is reflective of a broader interpretation that an individual cannot make him/herself a refugee.

³³ UNHCR GIP 13, *supra* note 23, paras 6, 12, 17.

repatriation),³⁴ and by the working definition elaborated by UNRWA as per its Consolidated Eligibility and Registration Instructions (CERI) primarily for the purpose of administering assistance.³⁵ The UNCCP Secretariat initially interpreted the term *refugee* in paragraph 11 of UNGA Resolution 194 as applying to all persons, irrespective of race or nationality (Arabs, Jews, and others), who were “displaced” from their homes in Arab Palestine, including Arabs in Israel and Jews in “Arab Palestine.”³⁶ Subsequently, a study prepared by the UNCCP Principal Legal Adviser proposed a definition of Palestinian refugees as persons of Arab origin who were Mandate Palestine citizens under the Palestine Citizenship Order of 24 July 1925 and had left Palestine territory, subsequently controlled by Israeli authorities, after 15 May 1948.³⁷ This definition, though never further developed and formally adopted, speaks to the debate within, and intentions of, the UNCCP in the early days of its operations.³⁸ As the UNCCP was unable to advance a political solution to the conflict and the pursuit of a resolution of the refugee question became *de facto* ineffective as of the mid-1960s, UNRWA remained the sole entity responsible for Palestine refugees. Its definition of “Palestine refugees” refers to “persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict.”³⁹ UNRWA registers descendants as refugees in line with international law and practice applicable to refugees (and their “dependants”) in protracted refugee situations. Unlike UNHCR, however, UNRWA does not register descendants from female Palestine refugees who are married to non-refugees, which is contrary to international law and practice (Albanese 2018, *supra* note 6).

The UNRWA definition of “Palestine refugee” was developed to determine eligibility for assistance and relief. It did not envisage to attribute legal status *per se*, in view of the pursuit of durable solutions. Nonetheless, it has become the most cited definition when it comes to Palestinian refugees. This definition is not fully reflective of the entire Palestinian refugee population, whose situation is still to be settled in line with relevant UN resolutions as per Article 1D of the 1951 Convention. The UNRWA definition does not include all 1948 refugees (and the loss of both home and livelihood—conditions which some may not have met—are no determinants of refugee status under Article 1A of the 1951 Convention), and UNRWA has never exerted a comprehensive mandate

³⁴ UNCCP, Summary Record of the Seventeenth Meeting, 27 June 1949, UN. Doc A/AC.25/Com. Gen/SR.17.

³⁵ UNRWA, Consolidated Eligibility and Registration Instructions (CERI), 1 January 2009.

³⁶ UNCCP, analysis of paragraph 11 of the General Assembly’s, Resolution of 11 December 1948, working paper compiled by the Secretariat, UN Doc. A/AC.25/W/45 of 15 May 1950.

³⁷ Definition of a refugee under paragraph 11 of the General Assembly Resolution 194 (III) of 11 December 1948. The note by the Principal Secretary, UN Doc. A/AC.25/W/61, 9 April 1951, must be read in connection with its addendum, 29 May 1951, UN Doc. A/AC.25/W/61/Add.1.

³⁸ See reference in UNHCR GIP 13, *supra* note 23.

³⁹ UNRWA CERI, *supra* note 40, section III, A(1).

to deal with the “1967 displaced persons.” UNHCR instead interprets Article 1D of the 1951 Convention as applicable to Palestinians who are “Palestine refugees” according to relevant UN resolutions, those who were displaced in 1967, and descendants of both categories.⁴⁰ Palestinian refugees who have originally been displaced at a later stage from the Gaza Strip and the West Bank out of fear of persecution are not considered as falling under the scope of Article 1D, but rather under 1(A)2 of the 1951 Convention.

The original protection system devised for Palestinian refugees between 1948-1951, which was intended to ensure continuous protection, did not live up to expectations. From the early 1950s, after failing to protect Palestinian refugees though negotiated durable solutions, UNCCP progressively halted its mediation activities and focused on possible compensation of the refugees, before becoming inactive from the mid-1960s onwards. Meanwhile UNRWA was initially set up to build on previous relief efforts while supporting solutions under the auspices of the UNCCP, then evolved into a large, active, much-debated and often criticised all-purpose agency for “Palestine refugees.” So, compared to other refugees, Palestinian refugees continue to enjoy a distinctive protection regime with a key role played by UNRWA, since the *de facto* demise of UNCCP.

As of the late 1960s and more so since the mid-1980s, UNHCR has become increasingly active in ensuring protection of Palestinian refugees *outside* UNRWA’s areas of operations. This was in connection to the secondary and tertiary displacement experienced by Palestinian refugees following instability, conflict, discrimination, and sometimes direct persecution in the Arab world (e.g., in Lebanon during the civil war 1975-1990; in Kuwait and other Gulf countries during and after the first Gulf war of 1990/1991; in Libya following Ghaddafi’s protest of the Oslo Accords between Israel and the PLO in 1994/1995; in Iraq following the 2003 war; in Syria following the 2011 war; in occupied Palestine since 1967; and, more incisively, from the Second Intifada in 2000 onward). Since the early 2000s, UNHCR and UNRWA have strengthened their partnership to ensure the aforementioned continuity of protection in the spirit of Article 1D of the 1951 Convention and in order to minimise protection gaps in the assistance and protection of Palestinian refugees. Accordingly, UNRWA remains uniquely responsible for these refugees within its area of operations; UNHCR has been responsible when they are outside the agency’s geographical scope and are unable to avail themselves of UNRWA’s protection for objective reasons (Albanese & Takkenberg 2020)

Some scholars and practitioners, including leading Palestinian refugee civil society groups such as BADIL, argue that such a distinctive regime—which

⁴⁰ UNHCR refers to Palestinians, including descendants, whose position has not been “definitively settled in accordance with relevant resolutions of the UN General Assembly.” See UNHCR, GIP 13 *supra* note 23, para. 9.

largely excludes Palestinian refugees from the protection purview of UNHCR and the 1951 Convention, especially in countries where UNRWA operates—has to various extents made them victims of a “protection gap” (BADIL 2015; Akram and Goodwin-Gill 2000; Akram 2002; Akram and Rempel 2004; Khalil 2011). The protection gap argument, as commonly presented, consists of two main elements. The first element points to the lack of compliance by competent authorities (host/asylum states and Israel, including as the occupying power in the occupied Palestinian territory or oPt) with the relevant international standards to which Palestinian refugees are entitled as refugees, (often) stateless persons, protected persons in situations of armed conflict or occupation, or simply as human beings. This will be discussed in detail in the next section. The second element concerns the lack of effectiveness of the institutional arrangements set up for Palestinian refugees—UNCCP, UNRWA, and UNHCR—in ensuring, to different extents, assistance and protection for Palestinian refugees. This, based on the discussion in this section, can be addressed upfront. It can be argued that despite its limitations, the system to protect Palestinian refugees has evolved in ways that have responded to humanitarian and political challenges on the ground, and also in ways that reflect the expanded concepts of protection in the human rights and refugee legal regimes and in humanitarian and development assistance. The main hindrance factor remains the lack of political will to resolve their situation in line with international law. This has been compounded during the years of the Middle East peace process (1991-2000), and of the Oslo Accords in particular (1993-1995). Since then, while being recognised as an international (and, specifically, a UN) responsibility since the late 1940s, a solution for the refugees has been increasingly treated as a bilateral matter to be resolved between Israelis and Palestinians. Yet the asymmetry of power between the parties, together with Israel’s unresolved territorial ambitions over the territory slated to become the State of Palestine, make elusive any solution to the question of self-determination, and any solution for the refugees.

In sum, in 1948 the protection of Palestinian refugees was expected to be a temporary measure, only required until a just and durable solution was found and implemented, not something that would continue in semi-perpetuity as a substitute for such a solution. Owing to the failure to find a political solution, measures to protect Palestinian refugees have had to evolve to respond to the most protracted –and politicised– refugee crisis in recent history. As in other protracted refugee situations, the protection vulnerabilities of Palestinians are rooted, first and foremost, in the failure to address the root causes of their plight and find a just and durable solution for them.⁴¹ The often-acute protection threats experienced by Palestinian refugees (and in the oPt, by Palestinians in general)

⁴¹ For an analysis of protection gaps in protracted refugee situations, see Türk, Volker, and Dowd, R. 2014. “Protection gaps.: In *The Oxford Handbook of Refugee and Forced Migration Studies*, 278-289. Oxford, Oxford University Press.

are the result of a lack of compliance with international law by Israel first and foremost, as well as a number of other relevant parties. Effective protection can only be ensured when fundamental rights are respected and fulfilled.

Relevance of international law to Palestinian refugees

In a now thirty-year old enquiry with respect to the meaning of protection as referred to in the UNHCR statute, Nash observes that “[p]rotection involves the use of legal tools to secure the rights, the security and the welfare of refugees, but the objective, beyond the immediate needs of refugees, is [a durable] solution.”⁴² This argument touches upon important aspects of the protection situation of Palestinian refugees, seventy years on.

One preliminary observation worth making is that, given the fact that the Palestinian refugee question first arose around 1947/1949 and has spanned over seven decades, the question of intertemporal law—namely, “which of different legal systems prevailing at successive periods [are] to be applied in a particular case”—is of significance.⁴³ According to this doctrine, while the law cannot retroactively apply, its interpretation cannot be considered “frozen in time” (Boling 2007, 227-8). The passage of time has an impact on the way the law is applied: if the original violation does not cease before the coming into effect of a new legal obligation, then that obligation may become relevant to the earlier facts.⁴⁴ This includes the situation involving an act that already constituted a violation at the time of its commission, which—subject to specific

⁴² Nash, Alan E. (ed.). 1988. Human rights and the protection of refugees under international law, Proceedings of a conference held in Montreal, November 29-December 2, 1987, Institute for Research on Public Policy.

⁴³ The intertemporal law doctrine was first elaborated in the *Island of Palmas Case* related to a territorial dispute over the Island of Palmas between the Netherlands and the United States, which was heard by the Permanent Court of Arbitration (two Reports of International Arbitral Awards, 1928, 831, “*Island of Palmas*”). Judge Huber explained that the rule of intertemporal law consists of two branches: the first is that “a juridical fact must be appreciated in the light of the law contemporary with it, and not of the law in force at the time when a dispute in regard to it arises or falls to be settled” (i.e., non-retroactivity of the law); the second is that “the existence of the right, in other words its continued manifestation, shall follow the conditions required by the evolution of law” (i.e., continuing violations) (*Island of Palmas*, 1928, 845). The intertemporal law doctrine is further elaborated by the International Law Commission (ILC), see *infra* note 53. International and regional courts have endorsed such doctrine including on human rights issues (i.e., in cases of forced disappearance and some refugees’ property claim cases), see *Lovelace v Canada* UN Hum. Rights Comm. No 24/1977, UN Doc CCPR/C/13/D/24/1977, 30 July 1981, para. 7.3; *Loizidou v. Turkey*, 40/1993/435/514, Council of Europe, European Court of Human Rights, 28 Nov. 1996.

⁴⁴ See ILC, Articles on Responsibility of States for Internationally Wrongful Acts, 2001, Suppl. No. 10 (A/56/10), art. 13-14(2). After enunciating that “[a]n act of a State does not constitute a breach of an international obligation unless the State is bound by the obligation in question at the time the act occurs” (art. 13) the ILC refers to ‘breach of an international obligation by an act of a State having a continuing character [which] extends over the entire period during which the act continues and remains not in conformity with the international obligation’ (art. 14(2)).

conditions— may trigger an additional violation when a new norm is introduced. In cases involving an act that did not constitute a violation at the time it was committed, this may—under certain conditions—become a violation of international law at a later stage, when the norm is introduced. Both scenarios are relevant to the Palestinian refugee situation; in this case, the original facts—forced displacement, dispossession, and subsequent denationalisation *en masse* around 1948—violated norms existing at the time they occurred, were never redressed (e.g., by the return of refugees to their homes and payment of compensation), and have continued until the present moment in some forms.⁴⁵ Where this is the case, the original violations may then be considered to have acquired a continuous nature; hence, the various human rights and humanitarian law treaties that have entered into force from 1948 onward have become relevant thereto (Boling 2007, 227-31). As Boling argues, the intertemporal law and continuing violations doctrines demonstrate that the passage of time corroborates (rather than “erodes” or “dilutes” a violation and the concomitant obligation to provide a remedy, since the law has gained greater strength and clarity over time (Boling 2007).

Further, the regime set up for Palestinian refugees under the 1951 Convention, with its conditional exclusion, has often been interpreted by states as if these refugees were fully excluded from the substantive *rights* of the 1951 Convention and, at large, from the international refugee regime as a whole. As a result, Palestinian refugees have frequently been treated as if they lacked legal status and protection under international law. As discussed earlier, the distinctiveness of their designation as refugees does not mean a lack of, or inferior, legal status. Notwithstanding the complex regime and the confusion it may cause, Palestinian refugees are as much refugees as others protected by the global international refugee regime. As such they are the subjects of international refugee law, of course with due caveats due to the specificity of their situation. Being largely “without citizenship,” they are at the same time subject to the law relating to stateless persons, in particular the 1954 Convention (*supra*) that is applicable to *de jure* stateless persons and the 1961 Convention on the Reduction of Statelessness (the 1961 Convention). Those in situations of armed conflict or military occupation—in occupied Palestine as well as, at times of hostilities, in Iraq, Lebanon, and Syria—are considered “protected persons” for the purpose of international humanitarian law (IHL); they have been often persecuted because of their Palestinian identity instead of being protected from attack.⁴⁶ Those who have experienced displacement without crossing an international border are protected as “internally displaced

⁴⁵ *Supra* notes 9–13 and accompanying text.

⁴⁶ Only when taking part in hostilities i.e., “when using weapons in an armed conflict, while gathering intelligence, or while preparing [...] for the hostilities,” civilians may lose the IHL protection for civilian persons, and yet the threshold to demonstrate such an involvement is quite high. Melzer, N. Interpretive guidance on the notion of direct participation in hostilities under international humanitarian law, ICRC, May 2009, 16-7, 51-2.

persons” under various norms of IHL and human rights law, as codified in the 1988 the Guiding Principles on Internal Displacement.⁴⁷ And finally, as human beings, Palestinian refugees are the subjects of human rights law, as enshrined by the 1948 Universal Declaration of Human Rights (UDHR),⁴⁸ the 1966 International Covenant on Civil and Political Rights (ICCPR),⁴⁹ and the 1966 International Covenant on Economic, Social, and Cultural Rights (ICESCR),⁵⁰ which together constitute the foundational *Bill of Rights* of international human rights law. The 1965 Convention on the Elimination of All Forms of Racial Discrimination (CERD),⁵¹ the 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW),⁵² the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),⁵³ and the 1989 Convention on the Rights of the Child (CRC) also apply.⁵⁴ This treaty-based system is complemented by human rights declarations, guiding principles, and standards, the value of which is their moral and political force rather than their binding nature. The international human rights system, with its norms and mechanisms, has particular relevance for Palestinian refugees in countries where they do not benefit from the application of the 1951 Convention. While only few countries in the Middle East and North Africa (MENA) region are party to the 1951 Convention,⁵⁵ international human rights treaties are more widely ratified. By June 2020, all states in the region ratified the CRC; Israel and most states in the Arab region, with the exception of Saudi Arabia, Qatar, Oman, South Sudan, and the United Arab Emirates have ratified the ICCPR and ICESCR. Israel and all Arab countries, except Oman and Sudan (signatory only), have ratified the CAT. Furthermore, Israel and all Arab states, with the exception of South Sudan, have ratified the ICERD. The CEDAW has been ratified by Israel and Arab countries with the exception of Sudan. Other core human rights instruments are also widely ratified.⁵⁶ Following its recognition as a non-member observer state, the State of Palestine also acceded to the core

⁴⁷ Commission on Human Rights, Report of the Representative of the Secretary-General, Mr Francis M Deng, submitted pursuant to Commission resolution 1997/39, Addendum, “Guiding Principles on Internal Displacement”, UN Doc E/CN.4/1998/53/Add.2, 11 Feb. 1998.

⁴⁸ Universal Declaration of Human Rights, UNGA res. 217 A (III), 10 Dec. 1948.

⁴⁹ International Covenant on Civil and Political Rights, 16 December 1966 [entry into force on 23 March 1976], UNTS, vol. 999, 171.

⁵⁰ International Covenant on Economic, Social and Cultural Rights, 16 December 1966 [entry into force 3 January 1976], UNTS, vol. 993, 3.

⁵¹ International Convention on the Elimination of All Forms of Racial Discrimination, 21 Dec. 1965 [entry into force on 4 Jan. 1969], UNTS, vol. 660, 195.

⁵² International Convention on the Elimination of All Forms of Discrimination Against Women, 18 Dec. 1979 [entry into force on 3 Sept. 1981].

⁵³ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 Dec. 1984. [entry into force on 27 June 1987], UNTS, vol. 1465, 85.

⁵⁴ Convention on the Rights of the Child, 20 Nov. 1989 [entry into force 2 Sep. 1990], UNTS, vol. 1577, 3.

⁵⁵ In the MENA region among the states who host significant numbers of Palestinian refugees, Jordan, Lebanon, Libya, Syria, and all of the Gulf States with the exception of Yemen have yet to become parties to the 1951 Convention.

⁵⁶ For example, the 2006 Convention on the Rights of Persons with Disabilities has been ratified by all MENA States with the exception of South Sudan, Lebanon, and Libya who are signatories.

international human rights law (IHRL) treaties including ICCPR, ICESCR, CERD, CEDAW, CAT, CRC including its Optional Protocol, and the Convention on the Rights of Persons with Disabilities (CRPD).⁵⁷

These branches of international law (IHL, IHRL, international refugee law, the law applicable to stateless persons, and the principles applicable to internal displacement) collectively constitute the international framework for the protection of Palestinian refugees. This framework is of critical importance in view of the multiplicity of regional and national legal regimes to which Palestinian refugees, as a polity in exile, have been subjected for the past seventy years. The protection that Palestinian refugees should be afforded by this legal architecture has generally not been forthcoming in practice; their treatment has been inconsistent and often affected by political considerations, generally surrounding the PLO and circumstances concerning the question of Palestine. Countries having *de jure* or *de facto* jurisdiction over Palestinian refugees have often claimed the non-applicability or the non-relevance to Palestinian refugees of their human rights (or refugee law-related) obligations. The most emblematic case is that of the government of Israel, which has traditionally rejected the notion that the Palestinian territory is occupied on the grounds that the status of the territory is “disputed.”⁵⁸ Israel also contests the applicability of IHRL in the oPt, claiming that such obligations are bound to its territory only and do not apply to the extra-territorial actions of a state, nor in a situation of armed conflict.⁵⁹ Against such positions stand the authoritative opinions of the International Court of Justice (ICJ),⁶⁰ the Human Rights Committee,⁶¹ and other international bodies.⁶² All of them argue in favour of the extra-territorial applicability of IHRL and particularly in the oPt, with corollary obligations upon Israel.

⁵⁷ Prior to this, PLO chairman Yasser Arafat had stated his government’s commitment to respecting to all international human rights standards since 1996.

⁵⁸ Although it has undertaken to comply with humanitarian provisions of the Law of Occupation in its administration of the territories, it has not clarified which provisions of international humanitarian law it considers “humanitarian.” For example, see Israel Ministry of Foreign Affairs, “Israel’s settlements – their conformity with international law”, 1 December 1996.

⁵⁹ See, for example, Israel’s fourth periodic report under ICCPR of 2014, CCPR/C/ISR/40, para. 47-8. For a sound examination of Israel’s arguments, see: Gross, Alan. 2017. *The Writing on the Wall: Rethinking the International Law of Occupation*. Cambridge, Cambridge University Press.

⁶⁰ In its landmark Advisory Opinion on the West Bank wall, the ICJ held that the legal framework applicable to the oPt, included the HRs, GC(IV) as well as Israel’s human rights obligations under the international bill of rights and the CRC. ICJ, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, ICJ Reports 2004, paras. 89, 95, 101, 107-113, 178-181.

⁶¹ E.g., HRC, Concluding Observations, Israel, UN Doc CCPR/C/79/Add.93 (1998), para. 10; HRC, Concluding Observations, Israel UN Doc CCPR/CO/78/ISR (2003), para. 11; UN Doc CCPR/C/21/Rev.1/Add.13 (2004), para. 10. This is in line with the HRC’s General Comment no. 31 (80), ‘The nature of the general legal obligation imposed on States Parties to the Covenant’, 26 May 2004, CCPR/C/21/Rev.1/Add.13, para 10.

⁶² E.g., ICJ, *Legal Consequences of the Construction of a Wall*, supra note 71, at 179, para. 111; CAT, Concluding observations of the Committee against Torture, CAT/C/ISR/CO/4, para. 11; Human Rights Council, Report of the United Nations Fact-Finding Mission on the Gaza Conflict (Goldstone report), A/HRC/12/48 25 September 2009, para 303 in particular.

Some Arab countries also deny the applicability of international human rights norms to Palestinian refugees on the grounds that their presence is temporary.⁶³ In recent years, human rights mechanisms, including treaty bodies, Special Rapporteurs, and the Universal Periodic Review of the Human Rights Council, have referred to Palestinian refugees in connection with the human rights obligations of a number of host countries. In so doing, these bodies and mechanisms have not only confirmed the applicability of the legal framework, but also exposed the dire reality experienced by many Palestinian refugees. The findings have confirmed that Palestinian refugees experience discrimination, limitation, or manifest violations of their civil, cultural, economic, political, and social rights, largely because of their Palestinian identity, and that they have limited avenues for redress. The human rights situation in the oPt has been particularly scrutinised, including under the Human Rights Council's standing agenda item on Israel's practice in the oPt.⁶⁴ In connection with the oPt, UN treaty bodies and Special Rapporteurs alike have on multiple occasions expressed concerns about the impact that prolonged occupation in the West Bank and the blockade and military operations in Gaza are having on the basic human rights of civilians, including children, as well as on the civilian infrastructure necessary to their wellbeing.⁶⁵ Some treaty bodies have also noted the failure to implement specific obligations vis-à-vis Palestinian refugees, among other Palestinians, in the oPt.⁶⁶

In the Arab region, treaty bodies have condemned the discrimination against Palestinian refugees, often on the grounds of their Palestinian identity and refugee status, including in cases where they enjoy nationality (e.g., Jordan, discussed *infra*). In Lebanon, human rights mechanisms have found that the discrimination experienced by three generations of Palestinians has resulted in violations of, among others, the right to adequate standards of living and adequate housing, the right to food, work, social security, and children's

⁶³ The most emblematic case is that of Lebanon, which treats Palestinians who have been in the countries since 1948 as foreigners, allegedly in the name of their right to return. This is also well captured by a statement of the Tunisian Minister of the Interior in 1982: "the presence of brother Palestinians is a temporary state, awaiting their return to their homeland. They will not have the status of migrant or that of refugee because they are combatants." El-Akhbar Al-Koweitia, 22 Aug. 1982, cit. in Khalil, Asem. 2009. "Palestinian refugees in Arab states: a rights-based approach", Robert Schuman Centre for Advanced Studies CARIM Research Report 2009/08: 28.

⁶⁴ This singling out of Israel has led to criticism of bias toward Israel. See Piccone, Ted. 2015. "5 Myths about the UN Human Rights Council." Brookings Institute, 8 Dec. 2015.

⁶⁵ CCPR/C/ISR/CO/3, 2010; CERD/C/ISR/CO/14-16; CRC/C/ISR/CO/2-4, 4 July 2013. See also 'Report of the Special Rapporteur on the situation of human rights in the OPT since 1967', 22 Oct. 2018 (A/73/45717); 'Report of the Special Rapporteur on adequate housing - Mission to the occupied Arab territories and Israel', 24 Dec 2012 (A/HRC/22/46/Add.1); 'Report of the Special Rapporteur on the situation of human rights in the OPT since 1967' (Richard Falk) (A/HRC/20/32); Report of the Secretary-General, 'Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan', 26 Aug. 2016, A/71/355.

⁶⁶ Cf. CEDAW/C/ISR/CO/5, 2011, para. 28, para. 50, CESCR, E/C.12/1/Add.69, 31 Aug. 2001, para 13-14.

rights.⁶⁷ The Committee on Economic, Social and Cultural Rights recommended that Lebanon take steps to improve the situation in refugee camps, contribute to the improvement of living conditions, ease access of Palestinian refugees to employment in the formal economy, and grant social security benefits.⁶⁸ In Jordan, despite the citizenship enjoyed by most Palestinians, they were found to experience discrimination in the enjoyment of their national rights⁶⁹ with respect to: their legal status (such as the impossibility of acquiring nationality for children with non-Jordanian fathers, which is not unique to the Palestinian case),⁷⁰ their participation in public professions and life,⁷¹ their children's standards of living,⁷² and their access to employment in the public sector and security forces.⁷³ Particular concern was expressed at the arbitrary withdrawal of nationality from Jordanians of Palestinian origin that had occurred in many instances, not on the basis of the law but based on administrative decisions.⁷⁴

Concern was also expressed regarding the discrimination against Palestinian families and children fleeing the conflict in Syria, including refusal of entry, expulsion, or deportation.⁷⁵ Palestinian refugees from Syria have often been discriminated against at the border on the grounds that they were not party to the conflict and therefore could be protected in Syria. Treaty bodies also raised concerns at Egypt's discriminatory application of the 1951 Convention to Palestinian refugees and the non-recognition of UNHCR's mandate to assist

⁶⁷ CESCR, 'Concluding observations on the second periodic report of Lebanon', UN Doc E/C.12/LBN/CO/2, 24 Oct. 2016, paras. 25-26; CEDAW, 'Concluding observations on the combined fourth and fifth periodic reports of Lebanon', UN Doc. CEDAW/C/LBN/CO/4-5, 24 Nov. 2015, para. 40; HRC, 'Report of the Working Group on the Universal Periodic Review, Lebanon', UN Doc. A/HRC/31/5, 22 Dec. 2015, paras. 132.16, 132.40, 132.167, 132.203, 132.211, 132.215.

⁶⁸ CESCR, 'Concluding observations on the second periodic report of Lebanon', UN Doc E/C.12/LBN/CO/2, 24 Oct. 2016, para. 26. The government showed limited openness on the matter and no significant progress has been made to date.

⁶⁹ CERD/C/JOR/CO/13-17, 4 April 2012, para. 12.

⁷⁰ With regard to nationality, the Committee on the Rights of the Child (CRC) "reiterate[d] its recommendation that the State party review and amend Law No. 6 of 1954 on nationality in order to ensure that a Jordanian mother married to a non-Jordanian man has the right to transmit her nationality to her children equally and without discrimination." CRC, 'Concluding observations on the combined fourth and fifth periodic reports of Jordan', UN Doc CRC/C/JOR/CO/4-5, 08 July 2014, para. 26; CRC, 'Concluding observations on the combined fourth and fifth periodic reports of Jordan', UN Doc CRC/C/JOR/CO/4-5, 08 July 2014, para. 15; CERD, 'Concluding observations on the combined thirteenth to seventeenth periodic reports of Jordan', UN Doc CERD/C/JOR/CO/13-17, 4 April 2012, para. 12.

⁷¹ CERD, 'Concluding observations on the combined thirteenth to seventeenth periodic reports of Jordan', UN Doc CERD/C/JOR/CO/13-17, 4 April 2012, para. 13.

⁷² CRC/C/JOR/CO/4-5, 8 July 2014, para. 50, 52(a).

⁷³ CERD/C/JOR/CO/13-17, 4 April 2012, para. 13.

⁷⁴ CAT, 'Concluding observations on the third periodic report of Jordan', UN Doc CAT/C/JOR/CO/3, 29 Jan. 2016, paras. 16, 24; CAT, 'Concluding observations on the second periodic report of Jordan', UN Doc CAT/C/JOR/CO/2, 25 May 2010, para. 24; CRC, 'Concluding observations on the combined fourth and fifth periodic reports of Jordan', UN Doc CRC/C/JOR/CO/4-5, 8 July 2014, para. 25, 56. In 2014, CERD expressed concern 'about reports on the unequal application of the Nationality Law to Palestinian refugees', CERD/C/JOR/CO/13-17, 4 April 2012, para. 12.

⁷⁵ CRC, 'Concluding observations on the report submitted by Jordan under Article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict', UN Doc CRC/C/OPAC/JOR/CO/1, 7 July 2014, paras. 25-26, 55-56; CAT, 'Concluding observations on the third periodic report of Jordan', UN Doc CAT/C/JOR/CO/3, 29 Jan. 2016, para. 13, 14(c).

and protect them, on the grounds that they fall under UNRWA's mandate.⁷⁶ Incidentally, UNRWA does not operate in Egypt. Previously, the Committee on the Right of the Child had positively noted a policy allowing Egyptian women married to Palestinian men to pass on their nationality to their children, and recommended that this be incorporated into domestic law.⁷⁷ With respect to Iraq, concern was expressed about reports on the unequal application of the Nationality Law to Palestinian refugees;⁷⁸ about allegations that Palestinian refugees had faced violence and abuses;⁷⁹ about the inadequate legal framework to ensure protection of refugees;⁸⁰ and about reports of ethnically based violence against Syrian and Palestinian refugees.⁸¹ With respect to Syria, at the beginning of the ongoing conflict, treaty bodies condemned the upsurge of violence that had targeted Palestinian refugees and resulted in widespread violence and the displacement of thousands, including children,⁸² and urged Syria "to cease military operations within and outside refugee camps and to provide humanitarian agencies with full access to the refugees."⁸³ The conduct of other countries outside the Middle East vis-à-vis Palestinian refugees has also come under treaty bodies' scrutiny. In 2016, the Committee Against Torture intervened with Bulgaria following the rejection of the asylum request of two Palestinian refugees from Lebanon who were reportedly tortured upon their return.⁸⁴

The increasing attention paid by treaty bodies to the treatment of Palestinian refugees in the MENA region and abroad, and the resulting recommendations, have the potential to influence government policy and practice as well as domestic legislation. This potential has yet to be fully realised. Increased respect for international human rights treaties would markedly improve the situation of Palestinian refugees and respond to their need for international protection.

⁷⁶ CERD, UN Doc CERD/C/EGY/CO/17-22, 6 Jan. 2016, para. 25(d).

⁷⁷ CRC, 'Concluding observations on the consolidated third and fourth periodic reports of Egypt', UN Doc CRC/C/EGY/CO/3-4, 15 July 2011, para. 44.

⁷⁸ CERD/C/IRQ/CO/15-21, para 17.

⁷⁹ HRC, 'Concluding observations on the fifth periodic report of Iraq', UN Doc CCPR/C/IRQ/CO/5, 3 Dec. 2015, para. 23.

⁸⁰ CERD, 'Concluding observations on the combined fifteenth to twenty-first periodic reports of Iraq', UN Doc CERD/C/IRQ/CO/15-21, 22 Sep. 2014, para. 18(a).

⁸¹ *Ibid.*, para. 18(b).

⁸² CRC, 'Concluding observations on the combined third and fourth periodic reports of the Syrian Arab Republic', UN Doc CRC/C/SYR/CO/3-4, 9 Feb. 2012, para. 73.

⁸³ *Ibid.* para. 75.

⁸⁴ CAT, 'Concluding observations on the combined fourth and fifth periodic reports of Bulgaria', UN Doc CAT/C/BGR/CO/4-5, Dec. 2011, para. 16(e). For follow-up of the case see CAT, 'Sixth periodic reports of States parties due in 2015, Bulgaria', UN Doc CAT/C/BGR/6, 12 Feb. 2016, para. 138.

The pursuit of solutions

The ultimate aim of the international protection of refugees is to achieve durable solutions that restore access to national protection, thereby resulting in the end of refugee status. Because of the characteristics of the Palestinian refugee question, a comprehensive, just, and durable solution to their plight—and that of the Palestinians in general—can only be found within the framework of a just and comprehensive political settlement between Israelis and Palestinians. Years of negotiations—first under UN auspices and then within the framework of the Middle East peace process—have ended in failure and there is little immediate prospect of success. The decades-long impasse and the prospect that it will continue call for a fundamental paradigm shift in the approach to solutions for Palestinian refugees, comprising of three interrelated elements (Albanese and Takkenberg 2020).

First, proper weight must be given to relevant provisions of international law applicable to Palestinian refugees. Realisation of the rights of the refugees must no longer be subordinated to political considerations. As experience demonstrates, Palestinians will not accept a political solution that perpetuates the denial of their rights and various forms of related injustice. This underlines the importance of a rights-based approach to the way any solution is conceived and implemented. This therefore requires that any solution be in line with relevant UN resolutions applicable to this group, as well as provisions stemming from refugee law and practice, IHRL, and other relevant branches of international law.

Second, the search for durable solutions for the refugees must move from the bilateral approach that was unsuccessfully pursued since the years of the Oslo Accords, back to the multilateral UN arena. The UN must assume the role with respect to the Palestinian refugee question that it plays for other refugees, especially in protracted refugee situations. This implies taking the lead in launching the development of a long-term strategy towards a comprehensive solution in accordance with international law.

Third, it is necessary to recognise that the historic rights of Palestinian refugees—primarily self-determination and return (not only as voluntary repatriation, but also in the form of property restitution)—are not conditioned on which durable solution (resulting in the end of refugee status) may be possible. As already discussed, these rights are firmly grounded in international law: their realisation should not be at the expense of other rights, inasmuch as other rights should not be realised at the expense of historic rights. These historic rights have not been advanced by decades of suffering; a betterment of refugees' individual situations and living conditions can also contribute to advancing historic rights.

A unique opportunity to pursue the proposed paradigm shift is offered by the 2016 New York Declaration on Refugees and Migrants (NYD)⁸⁵ and the 2018 Global Compact on Refugees (GCR),⁸⁶ which address all of the aforementioned elements. They emphasise that the UN, primarily through UNHCR, is responsible for the pursuit of solutions to refugee problems, while reaffirming the central role of international law and the importance of a multistakeholder approach to resolving refugee problems through a combination of voluntary repatriation, local integration, and resettlement. The novelty of these instruments is not in creating new legal obligations, which they do not do. Instead, they limit themselves to reaffirming principles and standards that stem from binding international law, primarily the 1951 Refugee Convention and IHRL. What is new is that both the NYD, which was unanimously endorsed by 193 UN member states, and the GCR endorse action to “promote durable solutions, particularly in protracted refugee situations, with a focus on sustainable and timely return in safety and dignity.”⁸⁷ Of direct relevance to Palestinian refugees is the reaffirmation in the NYD and GCR that “voluntary repatriation in conditions of safety and dignity remains the preferred solution in the majority of refugee situations”⁸⁸ and that solutions “should not necessarily be conditioned on the accomplishment of political solutions in the country of origin.”⁸⁹

The NYD and GCR set out a comprehensive refugee response framework (CRRF) which is to be developed “for each situation involving large movements of refugees, including in protracted situations.” So far, 15 CRRFs (or elements thereof) have been developed in various regions of the world. There is no one-size-fits-all CRRF; each must reflect the specifics of the refugee situation it addresses. What is relevant, though, is that this can be a way out of the impasse with respect to the Palestinian refugee issue, tailored to the specificity of their situation.

Because the NYD applies to Palestinian refugees,⁹⁰ it provides a UN-sanctioned mandate—with the broadest possible endorsement by the international community—for the elaboration of a comprehensive response framework for Palestinian refugees (CRF-PR). In view of the existence of UNRWA as the principal agency for Palestinian refugees, it has not been appropriate for UNHCR to lead the development of a CRF-PR. Similarly, and likely for a number of reasons, including the unprecedented financial crisis ignited by Trump’s decision to defund UNRWA and the uncondusive political context, UNRWA has so far not considered seizing the opportunity. However, given the respective responsibilities of the two agencies, both agencies are in a position to work together with,

⁸⁵ *Supra* note 4.

⁸⁶ *Supra* note 5.

⁸⁷ NYD, para 75. See also GC, para 85.

⁸⁸ *Ibid.*

⁸⁹ NYD, para 75, GCR para. 87.

⁹⁰ There is no explicit exclusion of Palestinian refugees within the NYD; on the contrary, there are explicit references to UNRWA. Therefore, there is no reason to believe it does not apply to them.

and agree on, a common strategy for triggering the development of a single CRF-PR through a multistakeholder process (*infra*). Each agency could then develop and implement the part covering the Palestinian refugees for which it is responsible. A special coordinator could be appointed jointly by both agencies to ensure the integration of the two parts of the framework.

One may ask in what way the proposed CRF-PR may differ from other initiatives to try to solve the Palestinian refugee question. One could argue that the answer is as much in the process of the development of the framework as it is in the framework itself. The multistakeholder approach called for in the NYD and GCR would mobilise all relevant actors and, importantly, put the Palestinians in the driving seat. Of course, this process should not be expected to materialise out of thin air; a political process should be activated. This could be a vehicle able to achieve two goals: first, not to leave the Palestinian refugee question dying of inertia, and second, to mobilise a political platform that could be useful to pursue other goals and political discussions, such as advancing Israel's accountability and realising Palestinian self-determination. Surveying and ensuring the participation of the Palestinian refugee population and the global Palestinian diaspora must be given priority. In developing the framework, the Palestinian refugee movement would provide an important complement to the Palestinian political leadership. Efforts must be made to involve elements in Israeli society that are open to this in the elaboration of the framework. That said, difficulties in securing Israel's formal engagement should not prevent progress on the framework.

The process would entail consultation at the national, regional, and international levels, structured engagement with refugees, and exploring the feasibility of various solutions and other measures. It would have the chance to trigger a political dynamic around the specificity of the Palestinian refugee situation and the actualisation of their historic rights, based on the wishes of the refugees across generations, but also based on refugee and human rights law and practice. Individual choices would not compromise the residual element of the settlement, which cannot be exhausted by the individual resolution of the refugee status. As discussed in this chapter's first section, the right to return to modern-day Israel is grounded in international law as it stood in 1948, and with it the rights to restitution and compensation. The existence of these rights is not dependent on the pursuit of solutions by individual refugees to end refugee status; even where refugee status comes to an end through local integration (in Arab host countries or other countries of asylum) or resettlement (in third countries), the historic rights of the refugees, including their offspring, remain valid.

The work of the UNCCP and past discussions on restitution and compensation have highlighted the challenges of advancing return, restitution, and compensation. Identifying and evaluating Palestinian property that has been transformed, absorbed into Israel's economy, and classified and reclassified

under a variety of Israeli laws poses critical challenges. The lessons of other important precedents have shown that such challenges are not insurmountable, and the practical challenges should not prevent further exploration in the Palestinian case. In this context, the UNCCP records and their ongoing digitisation, with the potential for linkages with the UNRWA registration records, may advance the prospect of restitution when possible, and compensation when it is not.

Beyond the rights of the Palestinian refugees as individuals, there are those associated with their being part of the Palestinian people: the right to self-determination. The origins of the Palestinian refugee question are inseparable from their unmet right to self-determination and the discriminatory nature of its continuous denial. The way the Palestinian quest for self-determination is resolved (or not), has important implications for Palestinian refugees and determines the extent of the opportunities available for durable solutions. An independent, fully sovereign Palestinian state, established alongside Israel—as was proposed in 1947, discussed since 1991, and accepted as the basis for further negotiations in 2000—has yet to materialise. It is commonly accepted, at least in the discourse of the Middle East peace process, that an independent State of Palestine would constitute the primary “self-determination unit” of the Palestinians as a people, including the refugees, and would help meet the statehood aspirations of the Palestinian people.

The issue of historic justice is a priority for the Palestinians. Dealing with the past is normally a post-conflict measure to rebuild societal trust and promote reconciliation. For the Palestinians, it is necessary to address the past now because it affects many aspects of the current state of affairs between Israelis and Palestinians. The framework should provide for the establishment of an objective historical account of the origins of Palestinian displacement, including its constituent elements, causes, and evolution. While Palestinian oral history, historians and the UN have documented the historic events and the root causes, the facts at the origin of the Palestinian displacement and dispossession remain largely ignored by the public at large and are not sufficiently influential in the political arena. This has contributed to leaving the Palestinian refugee issue unaddressed, feeding the efforts to dismiss the Palestinian refugee question altogether. Approaching the issue of the historical narrative through a comprehensive framework should help the various stakeholders feel part of a positive process where the past is examined in order to move forward. The form of such exercise could draw on the various initiatives for dealing with the past that have taken place through truth commissions; this would allow establishing an official historical account through the voices of those willing to come forward and tell their stories. Refugees from 1948, 1967, or displaced later in the Arab region; Israeli and Arab officials; and members of the international community should be among those invited to recount their part of the story. Such a process would contribute to establishing a sense of

justice, public acknowledgement, and accountability, laying the groundwork for advancing the enjoyment of Palestinian's rights under international law⁹¹ (IASC 2010, 43; Brookings-Bern 2010, 25-26)

The proposed third element of the paradigm shift entails that the other two durable solutions—local integration in host countries and resettlement in third countries—be given further consideration as well. A combination of the durable solutions has helped resolve other protracted refugee situations and could help do the same for Palestinian refugees. While an obligation of voluntary repatriation exists upon the country of origin under international law, host states have no obligation to grant asylum or citizenship under international law, although the 1951 Convention is geared towards local integration of refugees and requires states parties to facilitate naturalisation. In line with UNHCR's practice, the CRF-PR should emphasise that allowing for local integration of refugees is ultimately a "sovereign decision and an option to be exercised by States guided by their treaty obligations and human rights principles." Nonetheless, considering the protracted refugee situation, generations of refugees in host countries may have acquired a right of continued residency, deriving from factors such as their exceptionally lengthy stay, *de facto* integration, marriage, and business activity.

In cases where neither return nor local integration is feasible, resettlement shall also be considered as an option. As UNHCR indicates that in protracted refugee situations "lack of progress on repatriation and local integration should not block the possibility of resettlement, even though this will benefit a relatively small number" (UNHCR 2006, 117). As noted earlier, resettlement has helped break the impasse of protracted refugee situations. Since Camp David and Taba, resettlement—often opposed by Palestinians and Arab states—has been one of the options suggested for refugees in the context of a negotiated settlement. It is increasingly demanded, especially by refugees who live in difficult situations (i.e., Lebanon), that UNRWA assists refugees willing to be resettled. It would be an important development if UNRWA considered developing its policy and practice with respect to durable solutions more generally, taking into account both the way its mandate has evolved and the latest evolution with respect to solutions as set out in the NYD. More broadly, the CRF-PR should explore the scope and limitations of resettlement in the Palestinian context, based on the will of the refugees and the resettlement opportunities that may be available.⁹²

Seizing the opportunity that the existing international refugee regime, including the NYD, offers Palestinian refugees is not going to be an easy process. Yet, as the situation of the refugees continues to deteriorate (and

⁹¹ Failure to provide effective remedies may corroborate a sense of injustice, trigger further displacement and generally undermine the achievement of durable solutions.

⁹² Only one per cent of refugees worldwide gets resettled, a trend that has remained unchanged in recent years.

disappear from the political agenda of some influential stakeholders), inaction poses greater risks for Palestinian refugees in their quest for justice. International and regional diplomacy need to be mobilised around a concrete plan, and the NYD and GCR offer one.

Concluding Observations

Palestinian refugees are legitimate refugees under the international refugee regime. For historical and political reasons, they enjoy distinctive arrangements under such regime. This distinctiveness often creates confusion, leading to misrepresentation and misinterpretation of their legal status, the applicable normative framework, and the role of the international entity mandated to assist and protect them. Such confusion has to a considerable extent affected the protection they enjoy as refugees, at times giving rise to the belief that, as a group, they are excluded from the rights and standards of treatment afforded to other refugees. This has also fed the misconception of Palestinian refugees as *outwith* international law.

Against this background, the chapter discussed Palestinian refugee status under international law, as foundational to their entitlement to international protection, including durable solutions and enjoyment of fundamental rights enshrined in various bodies of international law (e.g., human rights and refugee law), on top of the specific entitlements they derive from UN resolutions (return to their homes or resettlement elsewhere, and compensation). It also discussed the extent to which the situation of Palestinian refugees in practice has been marked by a profound disconnect between the relevance of international law (i.e., relevant bodies) to their case, and the extent to which these refugees have effectively benefited from it. This has manifested in continuous displacement and dispossession of Palestinians in the West Bank and Gaza, and deteriorating living conditions for many of them in the countries where they found initial refuge and where millions of them continue to live in a limbo as stateless persons, without the right to have rights, often exposed to unrest and conflict, and vulnerable to further displacement. This chapter underscored that the failure to bring a just resolution to the plight of Palestinian refugees is ultimately attributable to the lack of political will, rather than inadequacy of the legal framework, and to the persistence in treating their plight in political terms, as an outcome of war, a humanitarian crisis, and an issue for negotiation. Pending a durable solution to their plight, their situation would significantly improve if states and regional bodies fully honoured their human rights commitments and obligations towards these refugees, including those stemming from the international refugee regime (when applicable).

With respect to solutions, the chapter proposed a paradigm shift and a new approach to the Palestinian refugee question, hinging on the centrality of international law, the UN, and Palestinian refugees' agency. It acknowledged that the obstacles in moving such vision forward are formidable. However, the death of the two-state solution—which received a further blow by Trump's 2020 "Deal of the Century"—combined with the complete absence of progress in resolving the Palestinian refugee question, call for new thinking and new approaches. Doing nothing is no longer an option and the NYD provides the UN with a powerful new opportunity to redress the plight of Palestinian refugees. Hopefully, this opportunity will be seized before too long.

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Chapter Ten

UNRWA at the Crossroads of Humanitarian, Development, and Political Claims

Jalal Al Hussein

The chapter seeks to determine how UNRWA, as a unique international investment in the welfare of one single category of refugees, the Palestine refugees, has since 1950 assumed the various roles its main formal and informal stakeholders, including the UN General Assembly, the donor and host countries, and the refugee communities and their representatives have ascribed to its mandate. In so doing, it offers insight into the interplay of humanitarian, developmental and (geo)political concerns that have underlain its mandate, turning UNRWA into a site of conflicting claims its management has had to grapple with. The chapter is geared to a historical methodology, analysing how the interaction of such claims gradually has determined key aspects of its operations such as the registration of refugees, its funding and the evolution of its key programs (including the recently publicly endorsed “protection” program), and impacted on the refugee communities and the overall Near Eastern context at large. Finally, it reflects on the future of the Agency at the time when the peace process is at a standstill and when its very survival is openly questioned.

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38 Days of Re-Collection

2014 | A constellation of black-and-white film negatives (created from digital images), printed on B&W photo emulsion spread on fragments of painted walls collected from homes in Jerusalem's Old City. The photographs were taken in a Palestinian home under occupation since 1948.

Source: **Steve Sabella**, <https://stevesabella.space/pages/38-days-of-re-collection>

Tasked to cater to the basic needs of the Palestine refugees¹ in Jordan, Lebanon, Syria, the Gaza Strip, and the West Bank since 1950, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has also become a prime witness of the refugees' plight and a staunch advocate of their socioeconomic rights. Since the mid-2000s, it has reshaped itself as a "human development" organisation, advocating the protection of the refugees' human rights and promoting their active participation in the planning and implementation of its activities. Moreover, because its mandate is organically tied to United Nations (UN) General Assembly resolution 194 (III) of December 1948 recommending the return of the refugees to their homes or their compensation, UNRWA has been considered by the refugees and the host countries as a default reminder of the international community's responsibility to find a just and durable solution to the refugee issue. More negatively, UNRWA's critics accuse it of being as an obstacle to a pragmatic Arab-Israeli peace arrangement that contributes to keeping the conflict alive, and as a source of material dependency preventing refugee integration within their host societies (Swissinfo 2018).

The chapter seeks to determine how UNRWA, as a unique international investment in the welfare of one single category of refugees (the Palestine refugees), has assumed and managed the roles ascribed to by its various stakeholders. The chapter reflects on the impact of UNRWA's programmes on the refugee communities and on the near eastern context at large. In so doing, it offers insight into the interplay of humanitarian, developmental, and (geo)political concerns underlying and shaping its mandate over time, turning UNRWA into a site of conflicting claims that its staff must grapple with. The first two sections trace the dynamics behind the creation and the evolution of its mandate in terms of institutional and operational development, before reviewing the socioeconomic and political impacts of its assistance programmes. The third section focuses on the operational scope and the political significance of the themes of "community participation" and of "protection" that UNRWA has openly mainstreamed across its various activities since they started decades ago.

¹ The Palestine refugees are those Palestinian refugees registered with UNRWA (about two-thirds of the total number of Palestinian refugees worldwide; see below) under the current definition: a person "whose normal place of residence was Palestine between June 1946 and May 1948, who lost both their homes and means of livelihood as a result of the 1948 Arab-Israeli conflict." See: <http://www.unrwa.org/palestine-refugees>

The making of a semi-permanent temporary agency

In considering the evolution of UNRWA as a semi-permanent temporary agency, the role of Arab states must be considered. This section will first discuss the Arab states' lasting imprint on UNRWA's mandate before continuing/moving on to consider the makeshift nature of its institutional and operational development path.

The Arab states' lasting imprint on UNRWA's mandate

The UNRWA was created in December 1949 by resolution 302 of the UN General Assembly (UNGA) as a subsidiary, temporary UN body tasked with catering to the basic needs of the Palestine refugees in five host countries/territories. In 1949, the West Bank of the River Jordan, which would be formally annexed to the Hashemite Kingdom of Jordan (HKJ) in 1950, was the main host territory with an estimated 280,000 refugees, followed by the Egypt-administered Gaza Strip (200,000), Lebanon (97,000), Syria (75,000), and the HKJ (East Bank, 70,000).² The agency was endowed with a two-fold mandate. First, as a stopgap measure, to prevent conditions of starvation and distress among the needy refugees for a short period (no longer than 31 December 1950) through a relief programme that included the provision of food rations, housing, and basic health and educational services. Second, as a core of the mandate, to promote the refugees' economic integration through the involvement of able-bodied men in temporary irrigation agricultural and construction "works" projects, to be terminated by June 1951. Such a works programme, it was thought, would gradually address the socioeconomic dimensions of the Palestinian refugee issue, thus leading to the termination of UNRWA's mandate. In this perspective, the host governments were to take the necessary preparatory measures for the time when international assistance for relief and works projects would no longer be available.

Geopolitical considerations also underpinned UNRWA's mandate. For the UN, regional peace and stability were at stake. For the United States, UNRWA's initiator and until recently main donor country, the agency's stabilising impact was explicitly seen as a tool against the spread of communism, for "the presence of ... destitute, idle refugees provides the likeliest channel for [communist] exploitation."³ In order to assuage the refugees' concerns that UNRWA's works programme might contradict the solution put forth by UNGA resolution

² Until 1952, UNRWA's mandate also covered the 31,000 displaced "Arabs of Palestine" and 17,000 "Jewish" refugees (from East Jerusalem) who resided in Israel.

³ See for instance: "Policy Paper Prepared in the Department of State", March 15, 1949, in *Foreign Relations of the United States 1949*, volume VI, 1977. The Soviet Union and its allies at the UNGA were excluded from all discussions leading to UNRWA's creation.

194 of December 1948 that guaranteed either their return to their homes or compensated resettlement elsewhere, resolution 302 (IV)—and following resolutions—claimed not to prejudice the provisions of resolution 194.⁴

Despite these reassurances, the initial works programme failed to meet its objectives. Very few refugees wished to give up their refugee status. Not only did they consider the works programme a threat to their right of return, but they also viewed UNRWA's relief activities as a prime symbol of the international community's commitment to implement that right and thus as an unquestionable entitlement (Al Hussein 2000). The prevalence of such perceptions amongst refugees, together with the situation of political turmoil prevailed in the Middle East in the 1950s, also explains the failure of the larger-scale reintegration schemes envisioned by UNRWA through major irrigation schemes in the Jordan Valley, the Sinai, and northern Syria (1952-1955) for example, or through collective transfer to the Gulf countries (1959-1960). Even UNRWA's upgrade plans in the refugee camps, home to the most destitute refugees (about one-third of them), were opposed on the same grounds.

Ultimately, the key provisions of UNGA resolution 302 that would define UNRWA's refugee assistance in the following decades bore the signature of Arab host states. While most of them consented in principle to the works programme, their main concern was actually to prolong the relief programme that alleviated the burden on their economies. The Arab states also wanted to reassure the refugees and their own citizens, who were at the time hugely supportive of the Palestinian cause, about their commitment to the refugees' right of return. Using their status as indispensable players in the implementation of UNRWA's mandate during the negotiations that preceded the adoption of resolution 302, the Arab states managed to impose several key amendments that organically linked it to the implementation of resolution 194 (par. 5 and 20). For example, although the relief programme's termination was initially set to be "not later than 31 December 1950", an Egyptian amendment allowing for the possibility of extension qualified this by including an exception in the event that "the General Assembly determines otherwise" (para. 6).⁵ Such amendments *de facto* transformed the agency into a semi-permanent body, whose dismantlement is organically tied to the implementation of resolution 194 and the refugees' "right of return."

⁴ Paragraph 11 of resolution 194 resolved that, "... refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property." The UNGA resolution on UNRWA (resolution 393 of December 1950) referred to reintegration (or re-establishment) of the refugees into the economic life of the Near East, and the refugees' removal from relief without prejudice to the provisions of resolution 194.

⁵ See "Egypt: amendment to the revised resolution project presented by the United States ...", 2 December 1949, in: *Official Documents of the General Assembly* (A/AC.31/L.48/Rev.1), Special Political Commission, fourth session, par.1, 2 and 7.

Makeshift institutional and operational development

The implications of those Arab-sponsored amendments—reluctantly accepted by UNRWA's main donors—to allow the extension of the agency's services pending the resolution of the refugee issue, were ignored. These include the registration (or not) of the refugees' descendants, the adaptation of UNRWA's budget to the evolving needs of the refugees, and the elaboration of a longer-term operational vision, entailing a prioritisation of its numerous activities. However, the UNGA has constantly refused to engage in such issues despite UNRWA's numerous calls for clarification, reflecting its uneasiness in tackling the political dimensions of its mandate. Its resolutions have generally endorsed steps taken beforehand by UNRWA itself. This lack of guidance has resulted in UNRWA's incremental and distorted administrative and institutional development. For instance, the registration of the descendants of the original 1948 refugees, generation after generation, owes more to the fear of having to solely bear the angry responses of the refugee communities (and of the host authorities) to termination of registration, than to a belief in the transgenerational need for assistance.⁶ This has resulted in a continuous increase in the number of registered refugees, which today stands at 5.6 million. Simultaneously, UNRWA gradually turned into a regional, quasi-governmental institution presently manned by about 28,000 employees, the vast majority of whom come from the refugee communities (UNRWA 2020).

These unique operational characteristics have not been met with required institutional reform steps. For example, UNRWA still officially operates under the original, outdated "works" wording of UNGA resolution 302, which results in a lack of clarity about its current goals and objectives. Its mandate, regularly extended for periods not exceeding three to five years, has prevented any long-term planning. Moreover, the agency's budget, covering the needs of both regular and emergency interventions, has depended quasi-exclusively on yearly voluntary contributions of donors, mainly from the United States, the European Union, and individual European countries, a modality initially considered best suited to a temporary agency.⁷ Such reliance on the donor countries has proven to be a liability for the agency, especially since the mid-1970s, when declining contributions on behalf of the donor

⁶ For that matter, in 1991/1992, even "being in need" (namely having a household income below a poverty line determined by UNRWA and the host countries) was removed from the list of criteria required for access to its core education and health services. As the Commissioner-General admitted in 1992, these services had *de facto* come to be distributed to the communities living in the same catchment areas as a whole, regardless of their livelihoods. In the *Report of the Commissioner-General of UNRWA 1991-1992*, (A/47/13), par.35.

⁷ Only some five percent of UNRWA's regular budget is covered by the United Nations Regular Budget (for international staff salaries) and by contributions from other UN agencies, such as UNICEF or UNESCO.

community led to chronic budget deficits, the deterioration of the quantity and quality of services, and ensuing tensions between UNRWA and the Palestine refugees, as will be discussed below (Grandi 2017). Pressures on behalf of the host countries and refugees to have UNRWA legally responsible for providing adequate services were unsuccessful. Tackling the issue in 1975, the UN Legal Counsel stated: “At no time has the General Assembly laid down a mandate for UNRWA which is precise either to the nature and level of services to be rendered by the Agency... From the legal point of view, it is therefore to be concluded that the Commissioner-General has the authority to establish the level of UNRWA services within the resources available to him to carry out those services.”⁸

The agency’s policy decisions have generally been based on the lowest common denominator of agreement among refugees, host countries, and donor countries. The reorientation of its mandate in the early 1960s, from the refugees’ collective reintegration to individual reintegration through primary education and vocational and technical training, is a case in point. A subsidiary relief programme in 1950, the education programme has become the agency’s main programme since the late 1960s. It now consumes nearly half of UNRWA’s budget and employs two-thirds of its staff. This reorientation has suited the interests of all stakeholders. The refugees welcomed it as a means of leading productive lives that did not jeopardise their right of return. The host countries considered it a fruitful investment in the human resources of a sizeable proportion of their resident population and a way of perpetuating UNRWA’s assistance pending the end of the Arab-Israeli conflict. Although donor countries resented the transformation of UNRWA into a semi-permanent institution, they have endorsed it since the late 1950s as a bulwark against any risk of social and political instability, likely to be fueled and co-opted by such “subverting” ideologies as communism and radical Islamism. Lastly, while the Israeli authorities have relentlessly criticised UNRWA for contributing to perpetuating the refugee problem, they had nevertheless sought to entertain harmonious operational relations with the agency during their (full) civil and military control of the West Bank and the Gaza Strip between 1967 and 1994, when they acted as a “host” country. In any case, UNRWA’s programmes *de facto* reduced the material costs of the occupation, while contributing to preserving stability in these territories.

⁸ “Report on the Authority of the Commissioner-General to Reduce Services as a Consequence of Financial Stringency”, in: Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East, 1 July 1974 – 30 June 1975, Supplement No.13 (A/10013), Annex IV.

Contributing to the integration of the refugees in the Middle East

UNRWA's functional educational system

The United States' acceptance of UNRWA's reorientation towards education was conditional. As its acting-Secretary of State put it in 1960, "[while] its government [was] fully aware of the grave alternatives which might result were outside aid to the Palestine refugees suddenly stopped, UNRWA was to be operated so as to stimulate the resettlement in every way possible [including through] vocational training."⁹ This meant that, unlike national education systems that endeavour to promote a civic culture predicated on identification with collective nation/state values amongst children, UNRWA's education system instead adopted the host country curriculum and steered towards their professional integration in the local and regional job markets.

The first outcome of UNRWA's education programme was a dramatic increase in literacy levels amongst refugee children, from 27 percent in 1951 to nearly 100 percent since the early 1980s. Girls also benefitted from the gender balance policy pursued by the agency, with the proportion of female pupils jumping from 26 percent at the primary level and zero percent at the preparatory level in 1950, to about fifty percent at both levels across the agency's five fields in the 1980s (Al Hussein et al. 2007). Within a few decades, UNRWA and host educational institutions (for the secondary and university levels) were instrumental in turning a hardly-employable refugee population into skilled professionals that contributed to the development of the entire Middle East. Indeed, given the dearth of available jobs in the host countries and the discriminatory employment policies imposed on Palestinian refugees (especially in Lebanon), emigration to labour-importing countries such as the booming oil-exporting Gulf countries became a traditional professional outlet for thousands of young, qualified refugees. Conversely, relations between migrants and their relatives were maintained through marriages and remittances, forming the linchpin of an integrated and dynamic diaspora. This diaspora contributed to, and was reinforced by, the Palestinian national movement that re-emerged across the Arab world in the late 1960s.

However, the "reintegration through emigration" trend has proven vulnerable to global economics and regional politics. The downturn in the economic activity of the Gulf countries in the mid-1980s and again in Dubai in 2008, led to a (temporary) contraction of their demand for foreign labour, including for Palestinians. More spectacularly, in 1991 Kuwait expelled 300,000 Palestinian

⁹ "Memorandum of a Conversation, Department of State, Washington, October 5, 1960," in *Foreign Relations of the US 1958-1960*, 378.

refugees to Jordan and the West Bank in retaliation for the PLO and Jordan's ambiguous stance during Iraq's invasion of its territory in 1990-1991. Nevertheless, Palestinian labour migration has remained an essential socioeconomic pillar of the refugees' domestic economy. However, its political significance has changed since the start of the peace process and the establishment of a Palestinian Authority (PA) in the West Bank and the Gaza Strip. The PA's failure to create a viable homeland for all Palestinians, together with the demise of the PLO's social institutions in the diaspora, have eroded the ideological links that bound the dispersed communities together. As a result, the Palestinian diaspora today has turned into the fragmented series of communities it was in the early years of the 1948 *nakba*.

Refugees' various levels of dependency on UNRWA

Since work-related emigration only involved a portion of the Palestine refugees, questions remained as to the fate of those, more numerous, who stayed in UNRWA's fields of operations. By the late 1950s, roughly 20 percent of employable men, mostly of urban origin, managed to find durable employment. Refugees of rural origin failed to find jobs because they moved into areas already saturated with farmers and unskilled labourers.¹⁰ In the following decades a gradual, employment-led reintegration process developed, based on two sources of jobs. First, UNRWA itself turned into one of the largest employers in the region as it hired refugees as local staff performing tasks under the aegis of international employees. From 1951 to 2014, their number increased six-fold from about 5,800 to over 30,000 (in contrast to only 150 international staff, some of them former local staff).¹¹ In addition, as a reminder of the works programme of the 1950s, UNRWA has since 1990-1991 developed a microfinance programme designed to provide sustainable income generation opportunities to refugees. This programme, which has been especially successful in the Gaza Strip, is also accessible to poor non-refugees living in refugee clusters.

A second source of employment has been host country job markets, where access has depended on the legal status local authorities ascribed to Palestinian refugees, ranging from the granting of citizenship and (relative) access to employment in the public sector in Jordan, to the imposition of a discriminatory regime in Lebanon where refugees are excluded from public sector and most of private sector employment. Available data show that across UNRWA's five host countries, refugees are on average less economically active in the formal employment sector and poorer than the host population. They also tend to be

¹⁰ Annual Report of the Director of UNRWA (1 July 1959–30 June 1960), doc. A/4478, New York, 1960, para. 5.

¹¹ The number of international staff has remained stable: from 133 in 1951 to 150 in 2014. Sources: Annual Report of the Director of UNRWA (1 July 1950–30 June 1951), doc. A/1905, New York, 1951, par.110 and UNRWA in Figures, op.cit.

subject to informal and often institutional social discrimination. This is especially the case of the dwellers of the fifty-eight official refugee camps across the region—about one-third of the overall refugee population overall, which have traditionally constituted its poorest segment (Lapeyre and Bensaid 2006).

The economic integration process that has nevertheless taken place, also through marital relations into host society populations (Meier 2008), is indicated by the refugees' decreasing dependency on UNRWA's services. For instance, the proportion of refugees benefiting from the ration programme (turned into a cash distribution programme in most fields since 2016) dwindled from about 100 percent in 1950 to some five percent in 2014, with highs of 12 percent in Lebanon and lows of two and three percent in the West Bank and Jordan, respectively (UNRWA 2014). To some extent, such material autonomy has also been caused by the austerity measures imposed by UNRWA, particularly its 1982 decision to limit the General Distribution of Rations programme to the most vulnerable refugee families, and more generally by its incapacity to respond to the needs of an ever-growing refugee community. Likewise, in Jordan and the West Bank, the insufficient number of UNRWA schools outside camps has led an increasing number of non-camp refugee children—a majority since the early 2000s—to attend governmental schools.¹²

However, voluntary or constrained autonomy has not detached the refugees from UNRWA. For most refugees, registration with the Agency serves primarily—though not exclusively, especially in conflict areas—as a proof of status as a refugee endowed with rights according to resolution 194 (Al Hussein and Bocco 2007). This explains why refugees not using UNRWA services, including those having migrated abroad, tend to maintain their registration (Ugland 2003).¹³ Sixty years on, the refugees' relations with the agency continues to be primarily defined in terms of political dependency.

Negotiating the UNRWA-refugees long-term relationship: Participation and protection

The Oslo Peace Agreement of 1993 foresaw the end of the Israeli-Palestinian conflict, the resolution of the refugee issue, and the handover of UNRWA's activities to the host countries by 1999-2000. The failure of the Camp David Peace Summit in July 2000, followed by the outbreak of the al-Aqsa uprising (*intifada*) three months later brought the Agency's donor countries to face an *ad aeternam* perpetuation of both the refugee issue and that

¹² Conversely, over 80 percent of refugee camp children in Jordan and the West Bank continue to attend neighbouring UNRWA schools; see Al Hussein, et. al., *The Educational Profile*, op.cit.

¹³ This is the case of the Palestine refugees from Lebanon that have migrated to Europe, mostly since the late 1970s.

of UNRWA. This translated into the former's open frustration at the Agency's incremental, "vision-less," management of its services. Its management was invited, with the host countries' tacit consent, to modernise its administrative and operational methods. The Organizational Development scheme (OD) that UNRWA launched in 2006 set its operations within the UN Development Programme-inspired human development framework aimed at the promotion of the refugees' full potential as individuals and as members of the community. This redefinition of UNRWA's relationship with the refugee community revolved around the term of "participation"—namely, the direct involvement of refugees in UNRWA's planning and implementation of interventions—and "protection," which covers "all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of relevant bodies of international law."¹⁴ Presented as modern governance tools, participation and protection have characterised the relations between UNRWA and the refugees for decades, less by design than by default, through debates and controversies about their operational and political significance.

Community participation and its political implications

Participation was never a central component of UNRWA's operational mandate. Reflecting on the growing demands of refugees—and their informal representative institution, the PLO—to be consulted on the agency's orientations and programmes, UNRWA stated in 1970 that "under successive resolutions of the General Assembly there [was] no reference to consultation with the refugee community. Consultation [took] place ... either through the host Governments or informally between headquarters staff or field directors and individuals or groups, who have some – but not necessarily a continuing – representative quality."¹⁵ In practice, community participation took place on the margins of UNRWA's activities, either through the establishment in the early 1950s of community-led social welfare centers to support socially marginalised refugees, in particular the young, women, and disabled persons; or through grassroots "self-help" initiatives aimed at improving housing conditions and camp amenities.

Despite its close working relations with the refugees, UNRWA has remained relatively estranged from them. At stake here is the agency's patronising, "top-down," and managerial approach whereby its assistance is provided exclusively for, not with, refugees. To some extent, the same approach has also defined the agency's relationship with its local staff, who are generally relegated to implementation tasks. The involvement of refugees in PLO-affiliated politico-military organisations from the mid-1960s onward, and later of Hamas and other Islamist groups, has further complicated matters. Their involvement not only raised questions about the agency's recruitment approach, implicitly weakening its authority over its serviced population and its local staff; it

¹⁴ See UNRWA, UNRWA Programme / Project Management Handbook, 2008.

¹⁵ Annual Report of the CG (1 July 1969–30 June 1970), doc. A/8013, 1970, par.19.

also affected the agency's impartiality in the eyes of its stability-driven donors. Since 1966, the United States Congress has passed several laws conditioning its approval of funding for UNRWA to guarantees that its aid would not benefit members of any Palestinian military group.¹⁶ Allegations that local staff employees had used the agency's facilities as educational and military props against Israel, especially in Lebanon until 1982 and in the Gaza Strip since 2000, created additional pressure on UNRWA's management to thin out those employees affiliated with, or sympathetic to, "terrorist" organisations.¹⁷

It took a radical transformation of the Palestinian-Israeli conflict, triggered by the outbreak of the first Palestinian uprising (*intifada*) in the West Bank and the Gaza Strip (1987-1993) and, later, the start of the Oslo peace process, to see UNRWA and the camp refugees engage in a durable rapprochement under the slogan "improved living conditions do not mean renouncing to the right of return."¹⁸ Requested by UN Security Council resolution 605 (December 1988) to examine the situation in the oPt, the UN Secretary-General explained that consultations with representatives of Palestinian civil society and camp refugees had revealed a change in their perceptions of UNRWA. Not only were they now favourable to a durable improvement of the camps' infrastructure, provided this did not prejudice any future political settlement and compromise their right of return; they also demanded that such work be implemented by UNRWA.¹⁹ This paved the way for a new participatory approach to camp interventions in the oPt, which was later replicated in the other host countries in the early 2000s when, following the collapse of the Israeli-Palestinian peace talks at Camp David (July 2000), all stakeholders agreed that efforts should be made to better accommodate the camp refugees. Interventions combining infrastructural development/reconstruction works with grassroots social activities were jointly conducted by UNRWA and the camp communities.²⁰ UNRWA has since 2006 extended the participatory approach to the management of its entire range of programmes as a means of operational efficiency and of refugee empowerment. The agency has also sought to alert the international community about the importance of engaging more refugee youth groups. In this spirit, it organised a conference "Engaging Youth: Palestine Refugee Youth in a Changing Middle East" in Brussels in 2012 that resulted in a list of "Ten Youth Commitments" around which all

¹⁶ See for instance "Foreign Policy Assistance Act of 1969," Public Law 91-175, s. 108 (a), 83 Stat. 819, December 30, 1969 and "Foreign Policy Assistance Act of 1966," Public Law 89-583, Sept. 19, 1966, AFPCD (1966).

¹⁷ See Department of State and [UNRWA] - Actions to Implement Section 301(c) of the Foreign Assistance Act of 1961, in: <http://www.gao.gov/new.items/d04276r.pdf>

¹⁸ See for instance "A Homeland Returns to its Children" (in Arabic), in *Filastin al-Thaoura*, 5 June 1994, p.11.

¹⁹ The investigation mission was headed by M. Goulding, Under-Secretary-General for Political Affairs; Report Submitted to the Security Council by the Secretary-General in Accordance with Resolution 605 (1987), S/19443, 21 January 1988, <http://unispal.un.org/UNISPAL.NSF/0/1109F4C12D7E478F852560E6004D9DFB>

²⁰ In 2006, UNRWA inaugurated a new core (general) programme: the Infrastructure and Camp Improvement programme aimed at ameliorating the urban management of the camps through the establishment of recreational areas and the strengthening of the refugees' capacity to launch local social activity initiatives.

pro-youth inclusion efforts should crystallise. In principle, these commitments entailed—beyond the mainstreaming of youth specific needs across UNRWA's services (education at large, health, microfinance)—calls for greater youth participation in the Agency's programming, and strengthening partnerships in with state and non-state practitioner (UNRWA 2012).

For all these programmatic efforts, UNRWA's participatory approach is still considered limited. The adoption of the "Ten Youth Commitments" has not been followed-up by any concrete measure. Refugees and local staff have kept complaining they are not involved in the UNRWA's decision-making process; the agency is definitely more accountable to donor and host countries than it is to the Palestine refugees in the planning of its activities.²¹ Declining financial contributions since the mid-1970s—a trend that has accelerated since the start of the Oslo peace process in 1993 when the resolution of the refugee issue and ensuing dismantlement of UNRWA seemed²² to be in the offing—has not helped. More than any other topic including participation, livelihoods, or protection, the very survival of the Agency has become the cornerstone of refugees' (and host countries') discussions about UNRWA.

When applied to specific projects, such as the upgrading of camps or in cultural and social programmes, participation schemes have proven to be a time-consuming and costly process requiring an adequate representation of the various political, social, and economic segments of the community. This has proven to be a challenge in the heavily politicised atmosphere prevailing in refugee communities. In retrospect, the only durable outcome of UNRWA's refugee participation approach is the agency-wide Student Parliaments established in each host country in 2001, which provide an opportunity for UNRWA students to advocate for their rights as students and members of their communities and to discuss the contents of the agency's educational programme.

Protection and its challenges

Since 1948, the international community has paid little attention to the Palestine refugees' human rights as promoted by international law. They have been excluded from the international refugee protection regime embodied in the Convention Relating to the Status of Refugees (1951) and UNHCR Statute (1950) to which UNRWA has allegedly represented a substitute. Initially, this "arrangement" was supported by the Arab countries as an acknowledgement of the Palestinian refugees' specificity as a group for whom the UN bore a responsibility based on resolution 194. Such a decision has proven to be a liability whenever the Palestinian refugees faced discrimination or were

²¹ As also pinpointed by evaluation reports such as ICAI, *DFID's Support for Palestine Refugees through UNRWA*, 2013

²² UNRWA's budget per registered refugee decreased from \$98 in 1994 to about \$70 since the early 2000s. For more on the funds and donors, (see Grandi 2017).

exposed to armed violence. While UNRWA can be said to have protected the Palestine refugees through its various services, and more especially in times of emergency, it has never been equipped with an international protection mandate and related instruments similar to UNHCR's toolkit. Resisting the demands of the PLO and the refugee communities for an expansion of its mandate towards human rights protection in the 1980s, at a time when refugees became increasingly exposed to armed violence in Lebanon and the oPt, UNRWA insisted that the only international protection means it was able to provide was "to report, to warn and to make representations to the authorities responsible." It being understood that "the responsibility for the protection of the civilian population lies with the territorial sovereign or, in the case of occupied territory, the occupying Power."²³

The outcome of such informal diplomatic representation has depended on the goodwill of the protagonists involved in conflicts. This has sometimes yielded positive results, especially when the lives of local employees and refugees were at stake. However, diplomatic representation is of little value when refugees themselves are directly involved as actors in armed violence, as has been amply evidenced over the past decades in the oPt, in Lebanon, and more recently since the outbreak of the Syrian conflict in 2011. Citing the example of the Palestinian refugees stranded in the Yarmouk refugee camp of Damascus since 2012, UNRWA's Commissioner-General noted how "Yarmouk has come to represent all places where – for Palestinians and especially refugees – control over one's life is an illusion, where the safety of decades can disappear overnight, where land is confiscated, homes are demolished, rights are denied, travel is restricted, jobs are lost, resentments and prejudices prevail" (Grandi 2014; see also 2017).

Two other protection methods have proven more sustainable. The first is protection through the information UNRWA provides to the international community about the violations of the Palestinian refugees' human rights. The second is direct protection through regular and emergency programmes targeting discriminated or endangered refugees. It is precisely based upon the notion that protection was what the agency already did through its service delivery (Morris 2008), but without necessarily being aware of it, that UNRWA has since 2008 turned protection into an essential crosscutting theme among its activities with a view to safeguarding the refugees' physical integrity, freedom of movement, and protection from arbitrary displacement, as well as social and economic rights in line with existing international conventions.²⁴ This

²³ Annual Report of the CG (1 July 1982–30 June 1983), doc. A/38/13, 1983, par. 7. The only exception occurred within the context of the first *intifada* (1987–1993) in the oPt when, on the basis of above-mentioned Security Council resolution 605, UNRWA implemented the Refugee Affairs Officers programme tasking international staff with reporting on brutalities committed by the Israel Defense Forces during clashes with the population. The programme ended in 1994 at the start of the peace process.

²⁴ For instance, the Convention on the Rights of the Child and the Convention on the Elimination of all forms of Discrimination against Women.

has required constant attention to, and reporting about, any breach of such rights by the agency's staff, and systematic reporting and advocacy consultations with, or referrals to, relevant authorities and services providers. However, because it was not set up as an international protection body, UNRWA may not have the legal authority and the adequate tools to directly confront duty bearers whenever the Palestinian refugees' human rights are jeopardised.

That long overdue protection framework contributed to further reuniting UNRWA and the refugees around shared objectives and goals, thereby alleviating the mutual mistrust that has often plagued their relationship. However, that trend has been constrained by two serious challenges. A first challenge stems from UNRWA's restricted margins of maneuver vis-à-vis host countries with which it is bound to harmonise its services but that do not necessarily share similar protection values. A second challenge is the lack of financial resources necessary to endorse the promotion of the refugees' socioeconomic rights. The austerity measures the agency has been compelled to take over the past decades in the form of curtailments or suspension of services in the fields of education, health, and relief and social services have *de facto* undermined such rights. Looking to the future, will UNRWA's failure to deliver on the various dimensions of its protection framework fuel unmet expectations amongst refugees, which are likely to develop into frustration and violence within a depressed political and socioeconomic regional context? Ultimately, as often suggested by UNRWA, a just and durable political solution to the Israeli-Palestinian conflict is the only key to achieving full protection for Palestine refugees and the realisation of their rights. While UNRWA is not mandated to find such a solution, it is nevertheless best placed to contribute to it.²⁵

Conclusion

The UNRWA represents a unique international investment in the promotion of the social and economic rights of one particular category of refugees: the Palestine refugees. However, beyond the indisputable operational achievements of its "quasi-governmental" services, UNRWA has played several, often contradictory, political roles that far exceeded the scope of its humanitarian mandate. Because it has long been the only UN agency active within the framework of the Palestine refugee issue, UNRWA has, as discussed throughout this chapter, become a site of contestation amongst different stakeholders and agendas. The refugees understand UNRWA as a symbol of the international community's responsibility for finding a just solution based on resolution 194 and fulfilling their right of return. Western powers have financially supported the agency primarily for the sake of regional stability. The Arab host countries

²⁵ See UNRWA, *Medium Term Strategy 2010-2015*, <http://www.unrwa.org/userfiles/201003317746.pdf>

oscillate between supporting the refugees' right of return and mitigating their adverse impact on the society's political and socioeconomic balance. Since 1950, UNRWA has successfully striven to strike a balance between these contradicting claims for the sake of its preservation and the continuation of humanitarian services to its registered population.

The evolution of the Palestinian agenda since the first *intifada*, together with the advent of the peace process (and its ups and downs), has led to significant changes in UNRWA's mandate. With the support of its main stakeholders, including the host countries and the refugee communities, UNRWA has explicitly incorporated "human development" values into its humanitarian tasks, elevating community participation and the protection of the refugees' human and socioeconomic rights to the core of its agenda. However, the accumulation of challenges that the agency currently faces—such as the relegation of the Palestinian question (and especially its refugee component) to the bottom of the regional and international agendas since the Arab Spring in 2011, dwindling per capita donor support to the point where the closure of UNRWA programmes has been envisioned in the past few years, and the eruption of political tensions and violence across South East Asia and North Africa region—have clearly undermined such a valuable effort, thus threatening to erode its relations with the refugees. At the same time, the UN General Assembly in 2019 overwhelmingly voted in favour of the extension of UNRWA's mandate, indicating that the agency still benefits from a significant, principled international support. This argues in favour of a frank dialogue between the agency and its main stakeholders about reassessing of its mandate around clear and shared objectives serving the mid-term and longer terms interests of the refugees, the host countries, and the international community at large.

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Chapter Eleven

'We Want to Live in Dignity, to Return': Palestinian NGOs and the Symbolic Representation of Palestinian Refugees in Lebanon

Sergio Bianchi

The representation of refugees is one of the most important issues in Palestinian politics, and Palestinian political elites competed over it at both regional and country level since 1948. This chapter explores how the advocacy campaigns rolled out by local NGOs shaped the representation of Palestinian refugees in the debate preceding the 2010 reform of Palestinians' right to access the job market in Lebanon. The focus of my analysis of representation is on the processes of symbolic production which lead to the emergence of the 'dignity' narrative in support to the claims for enhanced rights for Palestinian refugees. The key heuristic undertaking of the analysis is that the degree of acceptance of the representation carried out by local NGOs depended on the reception with which this narrative was met by the other actors involved in the debate concerning the status of Palestinian refugees in Lebanon (e.g. the Palestinian parties and NGOs close to Hamas, Lebanese government officers, and Lebanese Members of Parliament). I therefore argue that the disputes on the representation of Palestinian refugees in Lebanon are in fact quarrels over competing symbols of the Palestinian condition in the country, and that Palestinian political elites create and spread these symbols in their search for acceptance of their representative role.



38 Days of Re-Collection

2014 | A constellation of black-and-white film negatives (created from digital images), printed on B&W photo emulsion spread on fragments of painted walls collected from homes in Jerusalem's Old City. The photographs were taken in a Palestinian home under occupation since 1948.

Source: **Steve Sabella**, <https://stevesabella.space/pages/38-days-of-re-collection>

Introduction

On the 27th of June 2010, a march calling for an improvement in the civic, economic, and social rights of the Palestinians in Lebanon was organised in Beirut by the "Coalition for the Right to Work" in collaboration with other non-governmental organisations (NGOs) and individual activists. Around 3,000 to 5,000 people walked from the Sports City—near the Shatila and Burj el-Barajneh refugee camps—to the Khalil Jubran Garden in the city centre to advocate for better rights for Palestinian refugees. The main slogan of the march was "We want to live in dignity, to return" (*bidnā na'ish bi-l-kārama li-na'ud*).¹ At the end of the demonstration, the organisers handed a draft law to the Secretary-General of the Lebanese Parliament abrogating some of the limitations imposed on Palestinian access to the labour market in Lebanon. This event, while representing a milestone in the Palestinian struggle for decent work in Lebanon, simultaneously exposes the peculiar position of local Palestinian NGOs advocating for Palestinian refugees' right to employment in this country vis-à-vis the Palestinian political factions and the larger Lebanese political landscape. Specifically, it raised questions that this chapter aims to deliberate on concerning who has the right to represent the Palestinian refugees in Lebanon and whether NGOs are in fact included, and concerning the manner in which NGOs have managed to refashion their position as representative of the Palestinians in Lebanon.

Independent from the Palestinian political factions, at least formally, the NGOs involved in the organisation of the march spoke and acted on behalf of Lebanon's Palestinians vis-à-vis the Lebanese Parliament. This act of representation provoked diverse reactions among Palestinian activists as well as Palestinian and Lebanese politicians. Among those who were in favour of this act, Sara—a respected Palestinian NGO activist—stated that "... it is a good thing that there are different voices representing the Palestinians..." (Interview with Sara,² 11 October 2010, Beirut), thus including NGOs among the organisations entrusted to represent Palestinians in the public sphere. Among those who contested the actions of the NGOs, Iskander, a former member of the march's organising committee and leader of a Palestinian NGO, thought that "NGOs should not lead over political factions... especially on issues linked to the status of the Palestinians..." which in his view is the sole responsibility of the Palestinian parties (Interview with Iskander, 30 June 2011, Beirut), such as Hamas and Fatah. Although Sara and Iskander disagreed on whom should speak and act on behalf of Palestinians in Lebanon, they implicitly share the understanding that representation means, in their own words, "voicing" demands about the "issues linked to the status of the Palestinians."

¹ This chapter follows the Arabic transliteration rules from the *International Journal of Middle East Studies*.

² Sara (as all the interviewees' names hereafter) is a fictitious name I made up to protect interviewee's anonymity.

Their shared understanding assumes that the political intentions of the represented are brought forward in public debates by the audible words of their representatives. Here, representation is conceived as an act that exposes the correspondence between the wills of the represented and the wills of the representatives.³ This conceptual take, used to frame representation in contemporary liberal democracies,⁴ assumes that this correspondence—brought about through electoral competition—ensures the acceptance of the act of representation. Since the Palestinian NGO activists who organised the march never won an election, this begs the question of how they gained acceptance for the acts of representation they undertook.

Drawing on in-depth fieldwork in Lebanon,⁵ this chapter shows that, well before the day of the march, Palestinian NGOs tentatively built-up acceptance by disseminating a new, human-rights-driven signifier of the sociopolitical orders framing the existence of Palestinian refugees—namely, “dignity.” It therefore contends that these processes of symbolic⁶ or existential representation—through which representatives create symbols/narratives⁷ of unity which represented people could identify with—preceded and shaped the acceptance of the act of representation. The analysis of everyday essentialism (Herzfeld 2005, 32) applied to the “dignity” narrative is an alternative heuristic approach to understanding not only the conflicts surrounding the representation carried out by Palestinian NGOs in Lebanon, but also the dispute over the representation of the Palestinians in general and the role of the Palestinian Authority since 1994. This chapter offers a comparative lens to look at the uses of essentialist representations of Palestinian-ness (such as the defence of the right of return) as a means of winning acceptance in local and cross-border competitions for the role of representative of the Palestinians.

To support this conclusion, I structured this chapter along the life stages⁸ of the “dignity” narrative. In the first section, I outline the institutional and legal background in which the creation of the “dignity” narrative unfolded. The second section illustrates the narrative’s production and its circulation through

³ As Göhler (2014, 3) puts it in the French original text, “... une relation de volontés” between the political intentions of the represented and the positions expressed by the representatives.

⁴ See Urbinati and Warren 2008, and Hayat and Sintomer 2013.

⁵ Between 2009 and 2011, I conducted 14 in-depth interviews and gathered dozens of field observations about the advocacy initiatives carried out by Palestinian NGOs in Lebanon.

⁶ The notion of symbolic representation was first introduced by Pitkin (1967) along with three other “views” of what representation is: the formalist view (representation based on the formal delegation of the right to speak); the descriptive view (representation as looking like); and the substantial view (representation as acting on behalf) (Cf. Hayat and Sintomer 2013, 8).

⁷ Göhler (2014, 10) defined symbolic representation as “...intégration politique par une instance symbolique qui incarne l’identification avec la collectivité...”.

⁸ I adapted the concepts of stage of the objects’ life from Graeber’s theoretical reflection on the notion of value. Graeber identifies three stages in the life of objects: production (when value is created), circulation (when objects are transferred), and realisation (when value is publicly realised or recognised) (Graeber (2001, 78-79).

advocacy initiatives. Here, the symbolic novelty attached to the word “dignity” in the narrative disseminated by Palestinian NGOs is discussed. The third section presents concrete episodes of acceptance of and resistances against⁹ the “dignity” narrative to expose the conflicts engendered by the circulation of the new signifier. The conclusion offers an interpretation of the sociopolitical conflicts arising around the representation undertaken by Palestinian NGOs in Lebanon, and discusses the relevance of this interpretative frame to studying Palestinian politics.

The institutional and legal background of Palestinian NGOs' advocacy campaigns

Distinguishing between local and foreign organisations targeting Palestinian refugees, Jaber Suleiman describes the former as follows:

The legal status of the first type of NGOs is ambiguous. While they are legally Lebanese NGOs, they are in reality Palestinian associations. Although they nominally offer their services to the needy of both communities, their work is concentrated in refugee camps and other Palestinian areas. [...] While the nominal leadership is comprised of Lebanese citizens, however, the executive bodies of these NGOs usually include Palestinian activists. These NGOs, while legally indistinguishable from Lebanese NGOs, are therefore *de facto* ‘Palestinian NGOs’. (Suleiman 1997, 401)

Historically, these organisations began to gain importance after the departure of welfare institutions of the Palestinian Liberation Organization (PLO) in 1982 and the financial restructuring of the United Nations Relief and Work Agency (UNRWA) in the 1980s and 1990s. In these years, the local welfare associations (*jama'yāt*) often linked to the leftist, secular political factions, became central actors providing basic social services to Palestinian refugees in Lebanon.

The first Palestinian NGOs were established during the Lebanese civil war (1975–1990). Some of them were directly connected to the PLO.¹⁰ Others did not have a connection with the PLO but were close to the Palestinian political factions (Fatah, the Democratic Front for the Liberation of Palestine, and the

⁹ The everyday resistance of Palestinian refugees to NGOs-disseminated narratives falls outside the scope of this chapter because it had marginal influence on the public debate about the reform of the Lebanese labour law involving NGOs as well as Palestinian and Lebanese politicians in the second half of the 2000s. The literature is, however, rich with analysis of these acts of resistance to essentialist attempts to frame their memory and everyday life. See Allan 2007; 2009; Khalili 2007; Peteet 2005; Sayigh 1979; 1994 & 2010.

¹⁰ Including the Palestinian Red Crescent Society, the General Union of Palestinian Women, and the Ghassan Khanafani Cultural Foundation.

Popular Front for the Liberation of Palestine). Most of these organisations,¹¹ regardless of their political affiliation, started to provide educational, medical, and social welfare services to the widows and orphans of Palestinian fighters killed during the civil war. The initial funding of these organisations came from these political factions, as well as European leftist organisations. Over time, the source of financial donations progressively shifted toward Western NGOs and governmental development agencies.

A second wave of Palestinian NGOs came into existence in the 1990s and the 2000s. Unlike their predecessors, these organisations moved beyond service provision to focus instead on the protection and promotion of the human and political rights of Palestinian refugees in Lebanon.¹² Among these organisations,¹³ some are ideologically close to Fatah, some express the secular opposition to the Oslo agreement, and others are closer to Hamas and the *tahaluf* factions.¹⁴ Whereas the first two types of organisations were founded by Western NGOs and cooperation agencies, the NGOs close to Hamas mainly rely on private donations.

Over time, the organisations belonging to the first wave enlarged the scope of their activities in concordance with—pressures from their donors,¹⁵ as will be shown in the next section—and became both service providers and human rights advocates. By the beginning of the 2000s, most Palestinian NGOs were active in advocating for enhanced Palestinians' right to employment through a reform of the Lebanese Labour Law. To understand the content of these advocacy efforts, it is important to first outline the limitations on Palestinians' right to employment that triggered the launch of the advocacy campaigns.

According to Lebanese law, Palestinians registered in Lebanon are stateless foreigners. As such, they are required to obtain a work permit to be employed. Furthermore, the bylaws of Lebanese professional orders ban them from working in liberal professions (e.g., doctors, engineers, lawyers, etc.). Moreover, Palestinians were also excluded from the social benefits granted by the National Social Security Plan, including all kinds of work leave

¹¹ Such as Association Najdeh, the National Institute for Social Care and Vocational Training, Beit Atfal Assumud, Popular Aid for Relief and Development, National Association for Vocational Training and Social Services (NAVSS), and the Lebanese branch of Norwegian People's Aid (also known as NPA-Lebanon).

¹² Sarah Ben Néfissa observed a similar trend at regional level in the 1980s and 1990s, when private associations became progressively involved in the promotion of individual and collective rights vis-à-vis state authorities (Ben Néfissa 2002, 26-27).

¹³ The Palestinian Human Rights Organization (PHRO), the Center for Refugee Rights (Aidoun), Palestinian Organization for the Right of Return (Thabit), and the Palestinian Association for Human Rights (Witness/Shahid).

¹⁴ In Lebanon, Palestinian political factions are divided in two broad coalitions. On the one hand, Fatah leads the parties loyal to the PLO who accepted the Oslo process. On the other, Hamas is allied with the factions who reject the outcome of the Oslo process and, more specifically, the disregard of the right to return. This coalition is known as the *tahaluf*.

¹⁵ Challand (2009) and Abu Sada (2007) observed the same dynamic in the NGOs they studied in the West Bank throughout the 1990s.

(maternity, illness, work accident, occupational) and end-of-service compensation payments.¹⁶

In 2005, at the time of the Syrian withdrawal from Lebanon,¹⁷ the pressure to address these limitations began mounting. The United Nations (UN), the PLO, and Western donors, as well as foreign and local NGOs,¹⁸ started to focus on the need to reform Palestinians' rights in Lebanon to redress the discriminatory measures approved by the Lebanese Parliament during the Israeli and Syrian occupations of Lebanon. These efforts engaged Lebanese decision-making institutions via three modalities: bilateral discussion via diplomatic channels; engagement with the consultative bodies created by the Lebanese government to review the rights of Lebanon's Palestinians, like the Lebanese Palestinian Dialogue Committee¹⁹ (LPDC); and advocacy efforts carried out by local non-governmental organisations.

"Dignity" in the narratives of Palestinian refugees in Lebanon

The main aim of these advocacy efforts was to create pressure on the Lebanese government to reform the legal regime regulating Palestinian access to the labour market. Palestinian NGOs engaged in advocacy either individually (as the Palestinian Human Rights Organization, Thabit, and Shahid did) or in partnership with other local and international NGOs—as in the case of the involvement of the Association Najdeh-led Coalition for the Right to Work and the Norwegian People's Aid (NPA) in the Follow-up Committee for the Employment of Palestinians (FCEP/CEP).²⁰ It must be noted here that the genesis of some of

¹⁶ For a detailed description of the laws regulating the right to work of Palestinians before the 2010 reform, see CEP 2009; El-Natour and Yassine 2007; and El-Natour 1993. The existing limitations not only increased refugees' economic vulnerability by denying them access to jobs in the labour market between 1970 and 1982, they also stripped basic social welfare from the few refugees able to obtain a work permit.

¹⁷ The withdrawal of the Syrian troops from Lebanon affected the existing balance of Lebanese politics, making it possible to look at the Palestinian presence in Lebanon not only as a security concern, but also as social and legal issue to be tackled.

¹⁸ Foreign NGOs and development agencies are the main founder of Palestinian NGOs.

¹⁹ The Lebanese Palestinian Dialogue Committee (or the "Lebanese Working Group on Palestinian Refugees" as per the Ministerial Decision no. 41/2005) was established in 2005 by Prime Minister Fuad Siniora as a consultative body within the office of the Presidency of the Council of Ministers. The tasks of this group of ministerial representatives are "...coordinating between the different ministries and public administrations as well as initiating fruitful dialogues that aim at improving the living conditions of Palestinian refugees and building confidence-based relations between the Lebanese and Palestinian communities..." ("About LPDC" in the LPDC official website; <http://www.lpdc.gov.lb/about-lpdc/3/en>; last visited 25/6/2020)

²⁰ The Committee for the Employment of the Palestinians (CEP, previously known as FCEP) is an informal coordination body created in the wake of an LPDC initiative about the labour-related rights of Palestinian refugees. Its members are: two representatives from the Lebanese ministries concerned with Palestinians' employment (Ministry of Foreign Affairs and Ministry of Labour), two personalities from Lebanese and Palestinian civil society (a retired Lebanese ambassador and the director of the Norwegian People's Aid-Lebanon), a PLO representative, and one UNRWA high-ranking officer.

these initiatives, such as Association Najdeh's Coalition for the Right to Work, was partially driven by international partners.²¹

The actions of all the Palestinian NGOs and NGO coalitions advocating for enhanced labour market access for Palestinian refugees fall within one of the following three activities: 1) the production and diffusion of reports about Palestinian contributions to the Lebanese economy based on using socioeconomic surveys as advocacy tools; 2) the organisation of meetings with Lebanese decision-makers and representatives of affiliated institutions to discuss the contents of the findings of the reports; and 3) public gatherings, for instance marches and sit-ins, to spread the narrative included in their reports to the broader Lebanese and Palestinian public.

In chronological order, the first steps of the advocacy campaigns carried out by Palestinian NGOs between 2005 and 2009 consisted of drafting and publishing reports that examined the contribution of the Palestinian refugees to the Lebanese economy, and the impact of their exclusion. In documenting the impact with statistics and visual analytics, NGO activists aimed at building a sound, evidence-based argument to support their demands for legal reforms to secure the Palestinian refugees' rights to employment.²² Based on this analyses, Palestinian NGOs²³ and activists²⁴ developed a narrative well exemplified in the following quote from Association Najdeh's publication titled *Working Unprotected: Contributions of Palestinian Refugees Residing in Camps & Some Gatherings*:

More than two generations of Palestinian refugees have since the Nakba of 1948 been born and raised in Lebanon. They resided in the country, received education, worked, and spent their incomes and their lives in Lebanon. [...] Such a

²¹ In 2004, the cadres of Najdeh were invited by Education International to participate in a workshop organised in Cyprus for women working with Middle Eastern NGOs (Observation notes taken during the discussion with Najdeh employees, 18 February 2010, Beirut). One of the conditions for participation was to commit to organising advocacy initiatives once the workshop was over. Drawing on the results of surveys on micro-credit and vocational training targeting Najdeh beneficiaries, the NGO members who attended the workshop decided to focus their advocacy campaign on the right to work of Palestinian refugees. Their first moves were to: I) find partners and enlarge the support base of the campaign beginning at the camp level, and II) gather data supporting the advocacy claims (Interview with Nura, 9 December 2009, Beirut).

²² As Youssef, an activist engaged in producing reports, once said: "We don't want to be weak in our action. We want to have sound figures to diffuse to others organizations and institutions." Interview with Youssef, 30 June 2011, Beirut.

²³ For instance, PHRO (2009), Labor Laws... Palestinian Refugees Recent Situations. The Palestinians' Contribution to the Lebanon's Economy and FCEP (2007), Mapping Palestinian Refugee employment 2007. On page six of this report, the author affirms that: "...These restrictions [to the access of Palestinians into the labor market], (...) has led to a further deterioration of the employment situation of Palestinian refugees in Lebanon and thus worsening their living conditions."

²⁴ In a paper about the marginalisation of Lebanon's Palestinians, Jaber Suleiman—an independent researcher and the co-founder of the Palestinian NGO Aidoun—states that: "Palestinian refugees in Lebanon are perhaps the most unfortunate and destitute grouping of Palestinian refugees in any Arab host country. They are deprived of almost all civil rights and subjected to various forms of marginalization - spatial, institutional and economic - and this marginalization is often linked to exclusion and violence." (Suleiman 2006, 1)

dynamic necessitated a unique interaction with the Lebanese economy similar but not identical with that of the Lebanese with their own economy. The basic difference is that Palestinians are refugees and there are legal barriers to their work and other civil liberties that do not exist for other refugees. Such barriers constitute an infringement on their human rights and are associated with a substandard living. (al-Khalidi 2009, 41)

Drawing on quantitative data, the authors of these reports established a causal relation between the barriers preventing Palestinians from accessing the Lebanese labour market and the sub-standard living conditions experienced by the majority of the Palestinian refugees in Lebanon. Concurrently, these barriers are described as violations of the refugees' basic rights, and of the freedoms and entitlements granted to each human being.

The mention of these extreme living conditions, and the suffering and injustices associated with them, is a typical theme in the Palestinian nationalist narrative (Peteet 2005, 142). These elements are often present in the mainstream political speeches promoting the right of Palestinian refugees to return to their homeland; a position almost universally shared across the Lebanese and Palestinian political spectra—for instance, the right of return/refusal of *tawṭīn*²⁵ is one of the "Lebanese consensus" upon which the LPDC is founded. In the reports published by Palestinian NGOs, emphasis on the right to return is often complemented by references to refugee being deprived of human rights due to unjust Lebanese laws.²⁶ Framing the socioeconomic conditions of the Palestinian refugees in Lebanon, and the structural discrimination against them, within human rights language is the main element of novelty introduced in the narration of the Palestinian collective existence in Lebanon, as put forward in the advocacy efforts to legalise Palestinian rights to employment.

Once the reports were out in the public space, Palestinian NGOs had to transform their arguments into communication tools adapted to the audiences addressed during public gatherings.²⁷ It was during this process that the association between the desired change in the socioeconomic order framing the existence of Lebanon's Palestinians and the notion of dignity came into existence. During a meeting of the organising committee in preparation for the march,²⁸ two proposals for slogans to accompany this event were put forward: "We want to live,

²⁵ i.e., the resettlement in Lebanon of Palestinian refugees.

²⁶ This is true not only for the mentioned quote. The same references can be found in the surveys, reports, and press releases elaborated by Palestinian NGOs ideologically close to Hamas and the *tahaluf* (i.e., the alliance of Palestinian political factions rejecting Oslo agreement). As Youssef (a staff member of one of these NGOs) once stated, their documents aimed at making the public aware of the refugees' suffering due to Palestinian exclusion from the labour market. Interview with Youssef, 30 June 2011, Beirut.

²⁷ Palestinian NGOs did not need to adapt the language used in the reports when they organised meetings with Lebanese decision-makers and UN representatives because the technical language of the reports was already adapted to communication with this type of interlocutor.

²⁸ The committee was formed in February 2010. It included Association Najdeh, NPA-Lebanon, PHRO, Thabit, and Shahid; individual activists; and the representatives of Palestinian political factions.

to Return" (*bidna na'aysh li-n'awd*) and "We want to live in dignity" (*bidna na'aysh bi-kārama*). Refusing to prioritise one over the other, the committee members (including the ones belonging to NGOs politically close to the *taḥāluf*) agreed to blend the two slogans into one, which was eventually chanted during the march.²⁹

This episode illustrates how Palestinian NGOs reinvented the signifiers of the socioeconomic order framing the existence of Palestinian refugees in Lebanon during the advocacy initiatives they carried out. The merged slogan—"bidna na'aysh bi-kārama li-n'awd"³⁰—indeed reiterated the two dominant features of the narrative developed in the reports of Palestinian NGOs: the mainstream reference to "Return/*'awda*" plus the original reference to deprivation of human rights through the word "Dignity/*kārama*". However, I argue that these reports depicted dignity as a precondition for the return of refugees to their homes, thus reversing the idea that the extreme suffering in the countries of refuge resulting in a lack of a dignified life was a necessary—albeit temporary—precondition for the future return to Palestine.

"Dignity" is not an entirely new signifier in the narratives developed by the Palestinian nationalist movement. Since 1967, "*kārama*" referred to the first Arab victory ever obtained by PLO fighters against Israeli armed forces in the Jordanian village of Karamah, and to the general idea of armed struggle. In the slogan elaborated by the march's organisers (and similar to the arguments developed in the reports of Palestinian NGOs), the word "dignity" recalls the living conditions and the economic situation of the Palestinians in Lebanon, relating them to human-rights-based minimum standards of individual existence. The meaning of dignity developed by Palestinian NGOs replaced the reference to the armed struggle with a reference to the basic economic rights of human beings. Although I did not identify any direct connection between UN and Palestinian NGO narratives during my fieldwork, it is worth noting that the NGO's conceptualisation of dignity is very close to the one developed by international organisations like the International Labour Organization (ILO), and spread by donor organisations.³¹ Ultimately, in comparison with the existing hegemonic narrations elaborated by the incumbent representatives of the Palestinian refugees (including the PLO and Hamas), the subversion of the signified meaning of "dignity" is by far the most innovative element of the NGO-produced narrative of the socioeconomic order framing the existence of Palestinian refugees in Lebanon.

²⁹ This reconstruction is based on the coinciding recollections gathered during several interviews with the members of the organising committee. Interview with 'Ali, 8 July 2011, Beirut; Interview with Ghassan, 8 June 2011, Beirut; Interview with Fatmi, 13 July 2011, Beirut.

³⁰ "We want to live in dignity so that we will return" in English. Observation notes, 27 June 2010, Beirut.

³¹ For an insightful analysis of the impact of international NGOs on the emergence of civil society organisations in the West Bank and Gaza Strip, see Hanafi and Tabar (2005). About the use of the idea of "dignity" in the Tunisian revolution, see Béchir Ayari (2011).

Responses to the return/dignity narrative

During both open and closed-door meetings involving government officials, scholars, UN officials, and lawmakers, the arguments developed in the reports published by Palestinian NGOs were relatively well received. This could be inferred by the interactions occurring between the heads of Palestinian NGOs and members of Lebanese government, as well as with the academics, throughout the discussions concerning the NGO reports that took place before the parliamentary debate began. During an American University in Beirut-organised workshop in April 2010, entitled *Employment of Palestinian Refugees in Lebanon: Labor Market Realities within the Political and Legal Framework*, the quality of the reports produced by Palestinian NGOs was publicly acknowledged by Imam Khazaal, the Labour Ministry representative at the CEP and the LPDC.³² Similarly, at the LPDC closed-door roundtable organised in August 2010 (just before the beginning of parliamentary debate over the reform), heads of four Palestinian NGOs³³ were invited to share their expertise on the existing legal restrictions to Palestinian access to the labour market and their impact on the living conditions of the Palestinian community.³⁴ On the basis of their presentations, roundtable members—including the members of the LPDC—were planning to elaborate on the reform proposals which ultimately will be offered to the politicians involved in the ongoing parliamentary debate on the reform of Palestinian access to the Lebanese labour market.

However, the response to the return/dignity narrative developed by the Palestinian NGOs, while in general received positively, certainly was not free of contestation. The most blatant form of acceptance of the dignity narrative was the participation of a few thousand Palestinian refugees in the march of 27th June 2010. This participation, however, appeared to be limited to the beneficiaries of the NGOs that organised the march, as suggested by an overheard comment exchanged between two activists in the parking lot of Beirut Sports' City about the participants: "*bas banāt wa atfal*",³⁵ perhaps suggesting the absence of wide political endorsement. Similar trends were also noticed in response to the narrative within the LPDC. While in general it was favourably received, as suggested by the feedback and invitations mentioned in the previous section, certain aspects of it still met with some skepticism, both from a technical and political point of view.

³² Fieldwork journal entry, 26 April 2010, Beirut.

³³ These were: Jaber Suleiman (independent researcher and co-founder of Aidoun), Souheil al-Natour (who co-authored a widely quoted study on the legal constraints on Lebanon's Palestinians), Wafa Yassir (the country director of NPA-Lebanon, one of the main donors supporting both Association Najdeh and the PHRO in their advocacy initiatives about Palestinian right to work), and Ghassan Abdallah (PHRO director).

³⁴ Interview with Ghassan, 13 July 2011, Beirut.

³⁵ "[there are] only girls and children" in English. Observation notes, 27 June 2010, Beirut.

From a technical perspective, Michel, a senior policy advisor to the LPDC, for instance, doubted the unemployment figures presented in the reports, claiming they were unrealistic. He argued that the statistics presented in the reports were inflated since, as he claimed, they did not take into consideration that many of the Palestinians registered with UNRWA have since moved elsewhere and are no longer living in the country. These inflated figures, he concluded, worry Lebanese decision-makers concerned by the prospect of opening up the labour market to a large number of Palestinian refugees. This concern hindered the advancement of the political debate on the legal reform.³⁶

The main opposition to the dignity narrative developed by the Palestinian NGOs, however, was not technical; rather, it was political, related to the right of return and the rejection of resettlement (*tawṭīn*) for the Palestinian refugees in Lebanon. Several Palestinian NGOs, in addition to the *taḥāluf* and Lebanese politicians affiliated with the Christian parties, drew on these arguments to oppose the inclusion of the Palestinians in the Lebanese labour market. In essence, they questioned the validity of the narrative produced by the Palestinian NGOs and accused them of undermining the Palestinian's right of return.

On the Palestinian side, two NGOs ideologically close to Hamas—Thabit and Shahid— withdrew their support from the organising committee of the march. When asked about the reasons for their withdrawal, a senior employee belonging to one of these organisations explained that:

... in the case of the march, organizers got funding from some European embassies. However, there was no official support from the embassies about the fact that this money should help Palestinians to go back to their homeland. Sometimes the organizers said that the embassies were officially supporting return, sometimes not. Now, our status [i.e. the status of the Palestinians] is political, not humanitarian. If NGOs take the lead over political factions, this is dangerous and not acceptable. (Interview with Iskander, 30 June 2011, Beirut)

To counter the call for “dignity” put forth in the narrative created by Palestinian NGOs until then, Iskander questioned the commitment of the organisers of the 27 June march to the right of return/refusal of *tawṭīn*. In his perception, the financial support of Western embassies to this event undermined the organisers' commitment to return and discredited their entire narrative constructed through jointly-implemented advocacy initiatives.

Simultaneously, in the debate that started in the Lebanese parliament on 15 June 2010, the mention of dignity—i.e., granting basic human rights of the Palestinian refugees—was largely ignored by all the Christian parties in the Parliament opposing the proposed legal reform for the labour laws. In the parliamentary discussions, all references to the economic contribution of the Palestinian refugees to the Lebanese economy—a quintessential point developed in almost every NGO report—were completely absent. Christian

³⁶ Interview with Michel, LPDC senior consultant, 1 July 2010, Beirut.

politicians accused the main supporter of the reform in the Parliament, the Progressive Socialist Party (PSP), and its allies in Lebanese and Palestinian civil society to favour the *tawtyn* of Palestinian refugees through the legal reform of Palestinians' right to employment.³⁷ The plain refusal to engage in any debate concerning the granting of fundamental economic and social rights to the Palestinians was made clear by Boutros Harb³⁸ (then Labour Minister in the Hariri cabinet), who declared that no civil rights should be given to Palestinian refugees, even though it was acceptable to meet their humanitarian needs.³⁹ The division between the supporters and opponents of the legal reform reproduced the country's sectarian divide. Since the priority of Lebanese political leaders was to avoid the escalation of sectarian disputes, the question of the economic rights of the Palestinians became secondary. In the parliamentary debate, the refusal of resettlement (and naturalization)—the most important point of convergence amongst Lebanese after the of the civil war⁴⁰—hijacked the discussion on the right to employment of Palestinian refugees. The reference to the *tawtyn* outweighed the narrative about dignity in calling for the granting of the Palestinians' human rights, subsequently putting an end to any further discussion on the topic.

On the Palestinian front, shortly after having withdrawn from the organising committee of the march, Thabit and Shahid—supported by Hamas, the *tahāluf* parties, and their Lebanese allies—organised alternate public demonstrations to advocate for the right of return, as well as the enhancement of the right to employment of Palestinian refugees. During these events, the demand for an improvement of the economic situation of Palestinians in Lebanon was signified through the use of Palestinian flags and references to the right of return, with no mention of "dignity" in the slogans and declarations that followed. These sit-ins literally mirrored the ones organised by the creators of the "dignity" narrative, as it occurred on the day of the vote on the reform of Palestinian rights by the Parliament. In the square facing the Parliament building, two sit-ins demanding similar reforms were organised by the creators of the "dignity" narrative on the one hand, and by the NGOs close to the *tahāluf* parties on the other. This duplication shows that—unlike the intra-Lebanese debates—the disagreement between Palestinians was not about the rights of Palestinians in Lebanon *per se*, but rather about the signifiers used to depict this right and, most importantly, the claims for representation.

³⁷ This position was held in public by several key figures from these parties. For a broad collection of verbatim quotes from Lebanese and non-Lebanese politicians, see CEP Secretariat 2010.

³⁸ Boutros Harb was an influential Maronite Member of Parliament within the Qornet Shehwan Christian coalition.

³⁹ Sakr, "Harb: No 'civil rights' for Palestinian refugees" in The Daily Star, Sec.: Politics, 26/06/2010, 2010.

⁴⁰ See Maila 1991; El Khazen 1997; Picard 2002, 180-181; Meier 2008, 133 and ff.

Conclusions: Representation and contested signifiers

Throughout the life cycle of the “dignity” narrative, some Palestinian human rights activists, Lebanese officials and academic figures in Lebanon recognised its value. Moreover, a few thousand refugees publicly supported the revised notion of “dignity” by taking part in the 27 June march and few other public demonstrations. Thanks to these occurrences of acceptance, the Palestinian NGOs and activists that created the “dignity” signifier were able to speak and act in the name of the Palestinian refugees in Lebanon in a number of debates and discussions preceding parliamentary deliberation on the 2010 labor law reform, and— even in a meeting with the Secretary-General of the Parliament after the 27 June march.

The “dignity” narrative, however, was also met with uncompromising opposition by several organisations and politicians (Palestinian and Lebanese alike), which brought to the fore alternative signifiers and narratives of political orders framing the existence of Palestinian refugees, e.g., the right of return and the refusal of *tawṭn*. A distinction here is necessary, though. On the one hand, Lebanese MPs plainly rejected the idea of “dignity” and any concession of rights accompanying it, but nonetheless were not concerned by the role played by Palestinian NGOs. On the other hand, certain Palestinian NGO activists and party members (especially those close to the *taḥāluf*) strategically used the right of return to contest the position occupied by Palestinian NGOs, rather than the “dignity” signifier *per se*. As Iskander notes, it was the perceived lack of commitment to the right of return—a political symbol signifying the belonging of the refugees to the Palestinian nation—and not the demand for Palestinian rights in Lebanon. In other words, one may argue, it was the act of representation itself that was critiqued, and the possibility that an NGO may have altered the core narrative of the Palestinian refugees without consent. However, it remains unclear, from Iskander’s point of view, whether it would have been acceptable for political factions like Fatah or Hamas to advocate for “dignity” while negotiating the legal status of the Palestinians in Lebanon.

The limits of the representation carried out by the creators of the “dignity” signifier were shaped by the acceptance of—or resistance to—this signifier and the narrative built around it by members of academia, government officials, Palestinian NGOs and activists close to the *taḥāluf*, Palestinian parties, and Lebanese decision-makers. When the signifier was accepted, the people and organisations that created it were able to speak and act on behalf of the Palestinians in Lebanon. When the signifier was contested, the intermediation carried out by its creators was rejected (in the case of Palestinian activists close to the *taḥāluf*) or not even considered (in the case of Lebanese decision-makers).

It must be noted here that the dismissal of the representation acts carried out by the creators of the "dignity" signifier had little to do with the correspondence between the wills of the representatives and wills of the represented, and much to do with the antagonism between alternative symbols of political unity that Palestinians refugees and Lebanese decision-makers can relate to, i.e., "dignity" versus the right of return and the refusal of *tawtyn*. So, the struggle over the representation of Palestinians in Lebanon passed through competing for elite dissemination of alternative essentialist narratives and signifiers of political unity, while striving to gain the widest possible acceptance for them within and outside the communities they speak and act on behalf of. Hence, the actual ability of the Palestinian NGO that created the "dignity" narrative to speak and act on behalf of the Palestinians in Lebanon depended on the reception of the signifier they created throughout the represented community and in the institutions governing it.

The heuristic potential of the approach adopted in this chapter goes beyond its object of study, i.e., the disputes about the role of Palestinian NGOs in the 2010 reform of the Palestinian refugees' access to the labour market in Lebanon. It offers a lens to analyse the struggles around the political representation of the Palestinians (between the Palestinian Authority and refugee elites; within refugee communities; between political factions and civil society; etc.) that is focused on the processes of cultural production and appropriation, rather than on the notions of diaspora or state-building.⁴¹ Indeed, the notion of cultural production and appropriation have been used in the literature to study everyday resistance to the official narratives established by the PLO and the political institutions at the head of the Palestinian nationalist movement (for instance Maffi 2005 & 2006; De Cesari 2010; Khalili 2007; Allan 2007). I argue here that this approach is sufficient to comprehend not only individual resistance, but also the dynamic of cooperation and conflicts among the collective actors involved in the government of the Palestinian and, more generally, the political organisation of Palestinian communities.

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⁴¹ See, for instance, Brynen 1990; Abu Sada 2007; Lindholm-Schulz and Hammer 2003; Mardam Bey and Sanbar 2002.

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Chapter Twelve

Ordinary Agents: Palestinian Refugees as Providers of Care, Education, and Protection During the Syrian War

Nell Gabiam

In this chapter, I focus on the effects of the Syrian war on the Palestinians of Syria, including those who have fled the country, becoming once again refugees. In addition to news and research data, I draw on 50 interviews conducted in the spring and summer 2015 with Palestinians from Syria who were living at the time in Lebanon, Turkey, the United Arab Emirates, France, Sweden and the United States. I also draw on a handful of interviews conducted with UNRWA (United Nations Relief and Works Agency for Palestine Refugees) staff in Jordan and Lebanon. The chapter is divided into three parts: first, I give an overview of the toll taken by the war on Palestinians inside Syria; then, I give an overview of the challenges faced by Palestinians who have fled Syria for other Middle Eastern countries or continued on to Europe. I then examine how ordinary Palestinians not only coped with, but responded to the effects of the war. I focus on three dimensions of this response: relief, protection, and education under conditions of war. I illustrate these dimensions through ethnographic examples that range from personal acts of care to more organized and public forms of activism.



38 Days of Re-Collection

2014 | A constellation of black-and-white film negatives (created from digital images), printed on B&W photo emulsion spread on fragments of painted walls collected from homes in Jerusalem's Old City. The photographs were taken in a Palestinian home under occupation since 1948.

Source: **Steve Sabella**, <https://stevesabella.space/pages/38-days-of-re-collection>

Introduction

The ongoing Syrian war has exacted a tremendous toll on the country's civilian population. Among those civilians are Palestinian refugees. UNRWA (the United Nations Relief and Works Agency for Palestine Refugees) estimates that, as of July 2022, out of Syria's approximately 575,000 registered Palestinian refugees, 438,000 remain in the country. It provides the majority of these refugees with some form of humanitarian assistance, consisting mostly of food baskets and cash assistance.¹ The agency also estimates that 120,000 Palestinian refugees have been displaced from Syria since the beginning of the war, becoming refugees once again (UNRWA 2022; 2023a). Figures from the Action Group for the Palestinians of Syria (AGPS) suggest that the number of Palestinians displaced outside of Syria might be higher.²

Since the beginning of the Syrian refugee crisis in 2012, Palestinians attempting to flee across Syria's borders to other countries in the region have generally not been welcomed by host governments. Instead, they have faced closed or tightening borders, forcing a significant number of them to enter those countries clandestinely; upon entrance, they generally live under a precarious legal status. A large number of these refugees have continued to Europe.

This chapter addresses the response to the Syrian war's toll on the country's Palestinian population, including their displacement across Syrian borders. Rather than analyse this response primarily through the actions of international humanitarian organisations, host governments, or other members of the formal humanitarian and political realms that tend to occupy the spotlight in such situations, this chapter highlights the actions taken by Palestinian refugees themselves to address the devastating effects of the Syrian war on their lives. In so doing, it seeks to emphasise the role of refugees as active providers of support (Fiddian-Qasmiyeh 2018). Such an emphasis does not mean that international humanitarian organisations and members of the formal political realm have nothing to offer when it comes to supporting the well-being and rights of war-affected populations. For example, a 2018 report published by the Palestinian Return Centre notes that, amid widespread hardship and political as well as legal discrimination, UNRWA assistance to Syria's Palestinian refugees is a necessary lifeline (PRC 2018). However, and as further noted in the report, this lifeline is insufficient and unsustainable. A more comprehensive and durable approach to addressing the plight of Syria's Palestinian refugee

¹ Prior to the war, only six percent of Syria's Palestinian refugees received some form of emergency aid assistance (Gabiam 2016).

² As pointed later on in the chapter, AGPS estimates that by the end of 2017, about 100,000 Palestinian refugees had reached Europe and UNRWA estimates that, as of 2022, there are about 50,000 Palestinian refugees from Syria in neighbouring Lebanon and Jordan (see AGPS and PRC 2018; UNRWA 2022). These figures suggest that the number of Palestinians displaced beyond Syrian borders might be higher than 120,000.

population is needed and would benefit from the recognition of refugees themselves as a resource and as partners in addressing the crises that affect them.

This chapter focuses primarily on the 2012-2015 time period, which saw massive displacement of civilians from Syria due to the war. Among them were Palestinians who, like Syrian nationals, sought safety in neighbouring Middle Eastern countries but also further afield, attempting the dangerous Mediterranean crossing in order to reach Europe. It draws on 55 interviews I conducted in spring and summer 2015 with Palestinians from Syria who were living in Lebanon, Turkey, the United Arab Emirates, France, Sweden, and the United States, the overwhelming majority of whom were displaced to those places as a result of the war in Syria. It also draws on a handful of interviews conducted with UNRWA staff in Jordan and Lebanon.

I begin by providing an overview of the situation of Palestinians inside Syria, as well as that of Palestinians who crossed Syrian borders during the early years of the Syrian war. I then provide insight into how ordinary Palestinians not only coped with, but responded to, the effects of the war. I focus on three dimensions of this response: physical protection, emergency food and medical aid, and education under conditions of war. I illustrate these dimensions through ethnographic examples that range from personal acts of care, to more organised and public forms of activism.

Palestinian refugees and the war in Syria

In Syria

Similar to their Syrian counterparts, Palestinians in Syria have been severely affected by the ongoing conflict. Palestinian refugee camps have been subject to repeated attacks as well as sieges by troops loyal to the Assad regime and by Syrian opposition forces (Amnesty International 2014a; Mousa 2019). Palestinian refugee camps, such as Dera'a, al-Sbeineh, Yarmouk, and Ein el Tal, have suffered significant shelling, destruction, and massive population displacement (Bitari 2013; AGPS & PRC 2015; AGPS & PRC 2017; Interviews with Palestinians who fled Ein el Tal, April 2015).³

Between 2013 and 2016, Khan al-Shieh, a Palestinian refugee camp located in the western Ghouta area of Damascus, was caught in heavy fighting, effectively cutting off its population from their surroundings and severely constraining access to humanitarian aid (AGPS 2016; AGPS & PRC 2015). Yarmouk camp, located at the southern tip of Damascus, was subjected to

³ Here I subscribe to UNRWA's understanding of camps. According to the agency, there are nine official and three unofficial Palestinian refugee camps in Syria.

a five-year siege (2013-2018) punctuated by intermittent warfare that resulted in at least 1,355 deaths, including up to 200 deaths from starvation (Amnesty International 2014a; AGPS et al. 2018). The camp also suffered significant destruction and the displacement of the majority of its Palestinian population (UNRWA 2023b). Ein el Tal, a camp in the outskirts of Aleppo, Syria's second largest city, was depopulated in April 2013 when Syrian rebels took it over and ordered the entire population to leave. Much of the camp was subsequently destroyed in clashes between the rebels and government forces attempting to regain control of it (AGPS & PRC 2015; UNRWA 2023c). Since January 2023, over 4,000 Palestinians have been killed, 1,796 are being detained, and 332 are missing (AGPS 2023). The majority of Palestinian detainees are in Syrian government prisons, while others were arrested by armed groups fighting the Assad regime (Hassan 2015).

In neighbouring Middle Eastern countries

Most of the Palestinians who fled across Syria's borders initially ended up in neighbouring countries such as Jordan, Lebanon, Egypt, and Turkey, but a sizable number continued on to Europe (AGPS & PRC 2018). While in recent years international borders have tightened against refugees from Syria in general (see Human Rights Watch 2016), Palestinians fleeing the Syrian war faced obstacles from the beginning of the conflict. Some of these obstacles are specific to their Palestinian identity and accompanying refugee and stateless status.

Jordan

In January 2013, the Jordanian government announced a non-entry policy for Palestinian refugees (Human Rights Watch 2014). Since this official policy was adopted, those Palestinians able to cross into Jordan—usually relying on forged documents or smugglers—live in fear of being deported back to Syria (Human Rights Watch 2014; PRC 2018). Furthermore, Palestinians who fled to Jordan cannot legally live in refugee camps established for Syrians, and are not legally able to work and earn money to rent housing outside of camps (Human Rights Watch 2014).⁴

Despite their irregular status, Palestinians that fled Syria for Jordan have been able to receive some humanitarian assistance from UNRWA, which

⁴ One exception to housing Syrians and Palestinian Syrians separately was Cyber City, a detention centre which also had some Syrian residents. In April 2012, Jordanian authorities began transferring Palestinians found to be in the country clandestinely into the facility. Cyber City is an intimidating building that was completely fenced in, with checkpoints that prevented the free movement of the refugees detained there. Palestinians confined to Cyber City could receive temporary leave to visit other family members in Jordan but could not leave the area unless they decided to return to Syria (Santos 2014a; PRC 2018). Cyber City was closed in 2016 and the refugees (including Palestinians) who had been living there were reportedly transferred to King Abdullah Park, a refugee camp in the Irbid Governorate of Jordan (Albanese and Takkenberg 2020; PRC 2018).

counts Jordan among the countries within its area of operations (Interviews with UNRWA staff, Jordan, March 2015; PRC 2018).

Lebanon

Shifting from what amounted to more or less an open-door policy toward Syrian refugees, Lebanon adopted a comprehensive policy on Syrian displacement in October 2014. This policy sought to decrease the number of Syrian refugees on Lebanese soil by imposing new restrictions with regard to Syrian entry and residency in Lebanon (Janmyr 2016). However, the restrictions on refugees entering from Syria first targeted Syria's Palestinian population (who are treated as a separate group) and were more stringently applied to them (Santos 2014b; Janmyr 2016). Until August 2013, Palestinians leaving Syria needed prior authorisation from Syrian authorities in order to enter Lebanon. After this date, they began facing much more restrictive entry and residency measures (Janmyr 2016). Additional entry requirements imposed by Lebanese authorities in May 2014 effectively closed Lebanon's borders to Palestinians fleeing Syria (Janmyr 2016).

Around the same time, limitations were placed on the ability of Palestinians from Syria who were already in Lebanon to legally renew their residency papers (Amnesty International 2014b; Santos 2014b; Zeidan 2014). During this period, a significant number of Palestinians from Syria in Lebanon lived in fear of arrest and deportation to Syria, a situation that significantly limited their freedom of movement and ability to live stable and secure lives (Amnesty International 2014b; Santos 2014b; Smith 2015). This situation also impacted their ability to register their Lebanese-born children (Interview with UNRWA staff, Lebanon, March 2015; UNRWA 2016). UNRWA reports that, in 2020, eighty-seven percent of Palestinian refugees from Syria were living in poverty (UNRWA 2022).

In 2017, the Lebanese government loosened some of the above restrictions, making it possible for Palestinians in irregular situations in the country to receive a subsidiary, renewable visa for free (AGPS & PRC 2018).⁵ That same year, procedures for obtaining marriage and birth certificates were simplified for Palestinians from Syria. In another encouraging development, as of 2018, the majority of Palestinian refugee children from Syria are enrolled in UNRWA schools (AGPS & PRC 2018).

Despite the changes noted above, the overall situation remains bleak. Lebanon's recent compounded crises, which include heightened socio-economic instability, hyperinflation, and chronic fuel and energy shortage have not spared Palestinian refugees from Syria: essential commodities are increasingly out of their reach and they are "being pushed into ever more negative coping

⁵ However, the government refused to issue visas to Palestinians from Syria who had left Lebanon and tried to return in 2017 but did not have a multiple-entry visa (PRC and AGPS 2018).

mechanisms to survive, including missing meals, child marriage, child labour, debt and unsustainable borrowing practices” (UNRWA 2022:16).

Egypt

At the beginning of the Syrian refugee crisis and during President Mohammed Morsi’s rule, Egypt had an open-border policy toward refugees from Syria. However, Palestinian refugees faced the additional hurdle of having to depart from Damascus airport and land at Cairo’s airport if they wanted to be allowed entry (Claes 2015). After Morsi’s overthrow in July 2013, the situation worsened for both Syrian and Palestinian refugees, who now faced a more restrictive entry visa requirement (Claes 2015). This situation resulted in the *de facto* closure of Egypt’s borders to refugees coming from Syria (Claes 2015).

Those Palestinians able to make it to Egypt from Syria are generally in a precarious situation. Contrary to Jordan and Lebanon, Egypt is not part of UNRWA’s area of operations. Because UNRWA services do not officially extend to Egypt, Palestinian refugees should normally be absorbed by the office of the United Nations High Commissioner for Refugees (UNHCR). However, the Egyptian government does not allow Palestinian refugees in Egypt to register with UNHCR.⁶ This means that these refugees do not officially qualify for residency permits (which restricts their freedom of movement) and are not entitled to receive humanitarian aid in the form of food vouchers or medical assistance (Claes 2015). In addition to those restrictions, they are also officially denied access to public education and the labour market (AGPS 2019). While there is no United Nations agency officially responsible for the protection and assistance of Palestinian refugees in Egypt, UNRWA – which opened a liaison office in Egypt in 2016 – has claimed that “with the support of United Nations agencies and local partners, these refugees receive food vouchers and health assistance” (Claes 2015; UNRWA 2016:38).

Turkey

From the beginning of the war in Syria, and unlike Syrian nationals, Palestinians were officially required to apply for a visa in order to enter Turkey, forcing the majority of them to enter Turkey clandestinely (Clementi 2015; AGPS & PRC 2015; AGPS 2019).⁷ Those Palestinians who entered Turkey before the 2016 European Union-Turkey deal that sought to limit migration from the Middle East to Europe did not face the threat of deportation once they were in the country. However, they had an ambiguous and precarious legal status and seemed to be falling through the cracks of Turkish relief efforts toward refugees from Syria who were generally understood to be Syrian nationals (Interviews with Palestinian refugees in Turkey, Spring 2015). Like Egypt, Turkey is not part of

⁶ The reasons for this stance are not clear, but the Egyptian government has reportedly defended its actions on the grounds that Palestinian presence in Egypt is a security issue (Bitari 2013).

⁷ In 2016, Turkey established a visa requirement for Syrian nationals as well.

UNRWA's area of operations. Thus, Palestinians in Turkey do not have access to the agency's assistance. Normally, these Palestinians should fall under UNHCR's mandate. However, as early as 2015, there were reports that UNHCR services, which are distributed through the Turkish government, were not reaching Palestinian refugees, whose legal status in Turkey remained unclear (Clementi 2015; Interviews with Palestinian refugees in Turkey, Spring 2015).

Eventually, a significant number of Palestinian refugees from Syria were treated similarly to Syrian nationals, receiving the same "*kimlik*" or identity document as their Syrian counterparts, which officially qualifies them for residency, access to health care, and employment (AGPS and PRC 2018; Yahia 2020). Overall, though, Turkish policy toward Palestinian refugees from Syria has been unstable and uneven. Since at least 2016, there have been reports that Palestinians caught clandestinely crossing the Syria-Turkey border are being arrested and jailed for up to a month, and usually denied the *kimlik* upon release (conversations with Palestinian refugees from Syria 2016-2020; Yahia 2020). They are then forced to register and check in every two weeks with the Turkish police (Yahia 2020; conversations with Palestinian refugees who fled Syria). Even when their residency in Turkey or access to the *kimlik* is not threatened, the majority of refugees from Syria, including Palestinians, are in a precarious economic situation due to factors like the difficulty of obtaining work permits and viable employment, the high cost of rent, and uncertainty surrounding their long-term future in Turkey (Leghtas 2019).⁸

Given the barriers that Palestinians from Syria encountered early on in the Middle East and that they continue to encounter with regard to mobility, access to emergency aid, and livelihood opportunities—and given the unclear and arbitrary policies of some host states—it is not surprising that a significant number of them opted to continue on to Europe. At least in some European countries, they would have access to a formal path to long-term residency, better economic resources, and, therefore, a chance at a stable future.

An estimated 100,000 Palestinians from Syria reached Europe by the end of 2017, most of them by way of Turkey and the Mediterranean Sea (AGPS & PRC 2018). They, as well as other refugees from Syria, were making the hazardous journey to Europe across the Mediterranean from the coast of Egypt, Libya, or Turkey as early as 2012 (Amnesty International 2014c). By 2015, travel from Turkey to Greece across the Aegean Sea had become the preferred route because crossing the Mediterranean Sea from Egypt or Libya was longer and less safe. However, accounts of these journeys, regardless of the point of departure, are usually harrowing: they highlight the danger of being abandoned by smugglers before reaching one's destination; of being kidnapped, abused,

⁸ As noted by many, Turkey, which has ratified the 1951 Convention Relating to the Status of Refugees but not its 1967 protocol, does not consider people displaced from areas other than Europe as refugees. Thus, it considers refugees from Syria as "guests," meaning that they are not officially entitled to the legal protections offered by the international refugee regime.

and held for ransom along the way; of being cheated out of one's money by smugglers without making it to Europe; of being shot at, arrested, or detained by the authorities at points of departure; of being arrested or detained along the way; and, as widely publicised in the media, of drowning during the Mediterranean crossing (Clementi 2015; Euro-Med Human Rights Network 2015; Kingsley 2017; Interviews with Palestinians in France and Sweden, May-June 2015). The insecurity faced by refugees attempting to reach Europe via the Mediterranean also has a gendered dimension. A report by Amnesty International released in January 2016 notes that female refugees from Syria and Iraq face "violence, assault, exploitation and sexual harassment at every stage of their journey—including on European soil" from smugglers, security staff, and other refugees (Amnesty International 2016).

The above synopsis gives insight and background into the generally precarious situation of Palestinians in (and displaced from) war-torn Syria. The rest of this chapter focuses on the response of actors that seldom receive attention in the assessment of attempts to save lives and alleviate suffering during humanitarian crises: the victims and, in this case, Palestinian refugees themselves. Most of the accounts featured below relate to the 2012–2015 period. I highlight the efforts of ordinary Palestinian families to protect themselves from the violence unleashed by the war, their efforts to provide emergency aid to civilians seeking shelter in their communities and to members of their own communities, and their efforts to provide children with a semblance of normality despite the violence and chaos surrounding them. Before analysing these efforts, a few words must be said about the politics of everyday life and how ordinary Palestinians attempting to shield themselves and others from the devastating effects of the Syrian war fit in.

The politics of everyday life

When examining the response to the human tragedy unfolding in Syria with respect to the country's Palestinian population, the media as well as academics have provided important and useful information on the role of actors such as the Syrian government and rebel factions, Arab host states, Israel, the Palestinian Authority and the Palestine Liberation Organization (PLO), and major (i.e., international) humanitarian organisations (see al-Majdal 2014, 2015; Amnesty International 2014a; AGPS 2015; Sayigh 2014; Steele 2015). However, not much has been published on how Syria's Palestinian refugees have tried to prevent, stop, or alleviate their own suffering. This gap is accentuated by a more general tendency to gloss over the role of ordinary people as agents of change and as problem solvers. It is also accentuated by longstanding assumptions about refugees that tend to reduce them to passive victims completely dependent on

outside help, and to consider their existence as an inherently disruptive (and therefore negative) phenomenon (Malkki 1992; 1996).

There are growing efforts within academia to highlight how power dynamics, as well as efforts to transform or subvert them, manifest themselves in everyday life through the behavior and actions of everyday people. Scholars have pointed to the transformative effects of seemingly mundane acts described as “everyday forms of resistance” (Scott 1985), “quiet politics” (Askins 1995), or as a “politics of the poor” (Bayat 2013). They have emphasised the importance of the local as a significant site of struggle as well as a unit of analysis, and have encouraged research at the micropolitical level (Bayat 2013; Horton and Kraft 2009; Staeheli 2012; Allan 2013). With regard to Palestinian refugees specifically, anthropologist Diana Allan argues that “in much of the literature refugees are noble sufferers” who “exist in order to—and insofar as they—signify something about Israel/Palestine” (2013, 215). She calls for increased emphasis on the “small-scale, nonideological activities” and collective strategies that Palestinian refugees use to access services, security, and rights (Allan 2013, 220).

The realm of the micropolitical is especially pertinent to understanding the actions taken by marginalised individuals and groups to address the hardships and obstacle they face. In this respect scholars have focused on the urban poor as well as on economic migrants and refugees. For example, Asef Bayat (2013) details how rural-to-urban migrants engage in small acts of “encroachment,” such as using sidewalks to set up businesses, thereby asserting their right to the city. Similarly, international irregular migrants’ resort to encroachment when they resist the efforts of European countries to stop their movement by flouting and transgressing the borders, fences, barrier, and walls set up by these countries. These acts of encroachment are not representative of organised social movements, but rather of atomised actions that are taken individually but have a cumulative effect. They are not based on extraordinary and, therefore, much more visible acts of defiance. Rather they are “practices that are merged into, indeed are part and parcel of, the ordinary practices of everyday life” (Bayat 2013, 21). These practices also tend to be action-oriented, rather than ideologically driven and are overwhelmingly quiet since their underlying claims are made largely by individuals and not by a united group (Bayat 2013). A focus on the micropolitical context of war and displacement reveals forms of agency that go beyond the formal realm, as well as the realm of the spectacular and the extraordinary, and that emerge from the day-to-day practices of ordinary actors (Bayat 2013; Kraft and Horton 2009; Author 2018). In the next section, I explore this context through the actions of ordinary Palestinians seeking to mitigate the effects of war in Syria on their lives.

Palestinian refugees as agents of protection

Protection through family and kinship networks

A theme that appeared several times in the interviews was that of parents trying to protect their adult sons from being drafted into the Syrian army through the country's compulsory military service (which applies to Palestinians as well as Syrians), or from being arbitrarily arrested at regime or rebel checkpoints because they were of fighting age. I heard stories of parents who confined their adult or sometimes teenage sons to the house for months out of fear that they would be arrested or targeted by the various warring factions at checkpoints. Prolonged confinement would eventually become untenable, so parents or families would pool resources to enable adult sons to flee Syria. In one example, Yusef, a Palestinian refugee in his twenties whom I interviewed in Beirut in 2015 and who had fled there to avoid being drafted into the Syrian army, described the strategy used by his family to help his older brother make it safely to Lebanon in 2014. His mother and youngest brother, still a child, deliberately accompanied his older brother on his way from Damascus to Beirut as a protective mechanism since he would draw less attention and suspicion by traveling as part of a family than if traveling alone (Interview, Lebanon, 27 March 2015). Given the inability at the time for Palestinian refugees from Syria to renew their residency visas, neither Yusef nor his brother was able to find security in Lebanon and both migrated clandestinely to Europe; to the Netherlands and Sweden, respectively.

While shielding sons from compulsory military service was a recurring theme during interviews, my fieldwork reveals the interconnectedness of various types of vulnerability engendered by war and how a family's attempt to address one form of vulnerability would lead to the emergence of new hardships that then also needed to be addressed. For example, by migrating to Lebanon, Yusef was safe from the violence of the war and from eventually being drafted into the Syrian military. However, he was introduced to the insecurity of being a Palestinian refugee with expired and nonrenewable residency documents facing an uncertain future, including the daily risk of arrest and deportation back to Syria. These interconnected and sometimes overlapping vulnerabilities, as well as families' efforts to overcome them, are encapsulated in the story of Samah, a Palestinian woman in her twenties I interviewed in Sweden in summer 2015.

Samah's family fled the Palestinian refugee camp of Yarmouk, situated in the outer limits of Damascus, on the day of the MiG bombings or "*yawm dharabat al-MiG*," the term used by most of my interviewees to refer to 16 December 2012, when the bombings took place. On this day, the Syrian army, using Soviet MiG fighter jets, conducted a bombing campaign during which

several schools, a hospital, and the camp's Abd al-Qader al-Husseyini mosque were hit, killing at least 25 civilians (Amnesty International 2014a).⁹ The family initially moved to the Palestinian camp of Khan el-Shieh outside of Damascus, then to Geramana, another Palestinian camp located in Damascus, and then to Sehnaya, a Syrian town near Damascus. Unable to find respite from bombings in any of these places, they moved once again to the Syrian coastal city of Latakia. The family found some stability in government-controlled Latakia, but Samah's father was struggling to find work and the cost of living was high. Additionally, Samah's younger brother Adnan, who was 17 when the family fled Yarmouk, was very tall and looked older than his age. He was beaten several times at checkpoints in front of his mother after being accused of lying about his age and identity. He was also nearing 18, when he would become eligible for military service and would have to fight on behalf of the Syrian government in the ongoing war.¹⁰

Samah's mother decided to flee Syria with Adnan and his younger brother (who was 11 at the time), setting her sights on Europe. As in the case recounted earlier, protecting her sons from compulsory military service played a major role in her decision. Samah's parents sold the family car to finance the trip, but Samah's mother ultimately left alone after it was decided that it would be too expensive for her to take the boys with her. She would travel to Europe, seek asylum there, and then the rest of the family would join her through family reunification. In September 2013, Samah's mother flew to Egypt and then spent "about 10 days" at sea on an overcrowded boat with other smuggled migrants headed for Italy. She arrived in Sweden in October 2013 where she eventually received asylum, which qualified her for family reunification. She was joined six months later by Samah's father and brothers. Samah, who was older than 18 was not eligible for family reunification.

In August 2014, Samah's parents arranged for her to reach Europe with the assistance of a smuggler whom her father knew. As Samah and others attempted to cross clandestinely into Turkey, they were shot at by Turkish border guards. Several people, including Samah's smuggler, were killed. She had to retreat back to a village on the Syrian side of the border and wait for another smuggler. While her second attempt to cross into Turkey was successful, the original smuggler—her father's trusted acquaintance—was dead. With the help of one of her father's friends living in Turkey, she eventually made it to the Turkish coastal city of Bodrum where she boarded a boat with 35 other refugees from Syria, all men or boys. Among them were several Palestinians from Syria's Yarmouk camp, including one of her father's friends and the son of another. This was Samah's parents' way of trying to increase her safety, especially as a single woman undertaking the long journey across the Mediterranean.

⁹ The Syrian government would claim the bombing was a mistake (Amnesty International 2014a).

¹⁰ Similar to their Syrian counterparts, Palestinian refugees in Syria have to complete military service as part of Syria's "Palestine Liberation Army."

Undertaking this journey with familiar travel companions was of great comfort to Samah: "I was with our neighbors from the camp, my father's friends; they would never abandon me" (Interview, Sweden, June 2015).

During our interview, Samah told me that her male travel companions were like brothers to her. Even though the passengers were severely cramped on the boat, they made space for her to sit next to the "captain" manning the boat, put their bags around her and did their best not to touch her. At some point during the two-hour boat trip, Samah noticed how exhausted one of the men next to her was, so she told him he could lean on her legs. During the rocky crossing of the Aegean Sea, she and the other adults sang on the unstable boat taking them from Turkey to Greece, as if they were on field trip. This was partly as a psychological device to calm their own nerves, but especially so that the children would not feel afraid (Interview, Sweden, 9 June 2015). One of the songs they sang was Lebanese singer Fayruz' "*shaif el bahr shu kbir*" ("Look how wide the sea is").

With the smugglers, however, it was a different story and Samah often found herself fighting off sexual advances. For example, a smuggler offered to help her get to Germany in exchange for spending a few days together in a hotel on one of the Greek islands. Another tried to get into her room during the middle of the night, calling her around midnight to say he had found a way to get her to Sweden, where the rest of her family was waiting for her. At one point during her stay in Greece, she and the group of men and boys she was travelling with went to rent a two-room apartment from someone who had been recommended to them. The landlord argued that because Samah was a woman, it would be inappropriate for her to share a room with male travel companions. She would have to stay in his apartment where she would have her own room, which happened to be connected to his. Samah's male travel companions decided to rent two full apartments where she would have her own room rather than put her in a situation where she would be sharing an apartment with the landlord (Interview, Sweden, 9 June 2015). The landlord rejected this decision, leading to a physical altercation with the group who eventually rented a place from someone else. Through Samah's story, we see the intersection of many kinds of vulnerabilities engendered by the war in Syria: vulnerability with regard to armed violence, harassment and assault at checkpoints, compulsory military service, and sexual harassment as a single woman. We also see Samah's family actively take steps to overcome the intersecting dangers and hardships befalling them.

It bears pointing out here that it is the women in the family who took on the dangerous challenge of irregular migration from Syria to Europe, ultimately enabling Samah's family to find lasting protection and remain together.¹¹ A major assumption behind Europe's "refugee crisis" is that refugees traveling

¹¹ Samah has a younger sister who was married and living in a different household at the time of the family's decision to migrate to Sweden.

across the Mediterranean in the last few years to seek asylum in Europe have been predominantly male. However, research shows that, by late 2015/early 2016, there was a demographic shift in the composition of migrants traveling through the eastern Mediterranean route that goes through Turkey: these migrants now “comprised a majority of women, children, and families” (Kofman 2019, 2187). After the March 2016 European Union-Turkey deal made the journey much more difficult and unsafe, men once more made up the majority of migrants traveling from Turkey to Europe (Kofman 2019). Because Samah’s mother engaged in her journey in 2013 and through a migration route that is much more deadly than the eastern Mediterranean route, we need to look beyond international migration policy and the issue of safety to understand why she, and not Samah’s father, took responsibility for getting the family asylum in Europe.

When I asked Samah why her father had not been the one to undertake the clandestine voyage to Europe, she first explained that, being a man, her father was better placed to intervene if her brother Adnan faced danger: “If he were arrested by [Syrian] Security, if anything were to happen to him, [my father] would be able to deal with it. In times of war, a woman can’t go to the security building and look around and ask questions about her son. Also, [my mother] wouldn’t be able to stay behind with us and provide for us financially. She wouldn’t be able to find work whereas, in the absence of my mother, my father would be able to do any menial job he had to in order to take care of us” (Interview, Sweden, June 2015).

Samah’s story highlights how, in addition to social norms, structural factors such as war, economic circumstances, and government policies (for example, family reunification laws) influence gender dynamics. The role of affect and how its intensity can shape individual human behavior should also not be discounted. When listening closely to Samah’s narrative, it is clear that it was her mother who, distressed by the insecurity faced by her sons in Syria (at military checkpoints and as potential and unwilling combatants) and prepared to do whatever she could to protect them, initiated the family’s migration project to Europe.

While political transgressions such as evading Syria’s compulsory military service and clandestinely crossing state borders are key to Samah’s story, small acts of care and kindness also contributed to the positive outcomes featured in this story. For example, family acquaintances, as well as fellow Syrian and Palestinian Syrian travelers with whom Samah would develop close bonds, looked out for her and intervened to protect her when she faced sexual harassment. These small acts also include the efforts of Samah and fellow travelers trying to minimise the trauma of the clandestine Mediterranean crossing in a packed inflatable boat, by singing songs and pretending that they were on a leisurely trip, especially for the children.

Having focused here on examples of displaced Palestinians seeking protection outside Syria, I end with examples of Palestinians trying to survive in war-torn Syria. I focus on Syria's Yarmouk camp, which initially served as a haven for civilians displaced from neighbouring areas before being cut off from the outside world by a brutal siege that began in July 2013 and lasted five years.

Yarmouk camp: Providing aid and education under siege

Before the Syrian war, Yarmouk was exceptional as a space that was socioeconomically integrated into Damascus while maintaining its status as a refugee camp known for political activism around the Palestinian cause (Gabiam 2016). It also counted many grassroots social organisations (Gabiam 2016). Before it was infiltrated by rebels in December 2012, Yarmouk had also turned into a refuge for Syrians fleeing other areas that had become engulfed in the fighting. Yarmouk's inhabitants welcomed displaced Syrians and Palestinians from surrounding areas, such as the Tadamon and Hajr al-Aswad neighbourhoods, housing them in schools and mosques and providing them with food, blankets, medical supplies, and other kinds of assistance. Yarmouk's role in hosting displaced Syrians in the early days of the war was a recurring theme in my interviews and discussions with Palestinians from Yarmouk. One male Palestinian interviewee in his twenties who now lives in Sweden explained the zeal with which Yarmouk's Palestinian residents welcomed internally displaced Syrians as a way of paying Syrians back for their hospitality toward Palestinians in the aftermath of the 1948 *nakba* (Interview, Sweden, June 2015).

Abu Walid, a middle-aged Palestinian who received asylum in Sweden, estimates that about 150,000 to 200,000 civilians (mostly Syrian but including some Palestinians) sought shelter in Yarmouk in the early days of the war. He was especially proud of having participated in what he described as a spontaneous mobilisation on the part of Yarmouk's population to assist civilians who had fled neighbouring Tadamon for Yarmouk in late 2012. It was mid-afternoon, either August or September, and people were fasting because it was Ramadan. By *iftar* (the sunset meal following the fast) "every single person [displaced from] Tadamon had found shelter in one of our schools or mosques and had bedding, a warm meal, and cold water." Abu Walid personally took part in these efforts, taking bags of cookies to the displaced who were sheltering in schools. Emphasising that the aid effort had been carried out primarily by regular people and "not organizations," he believes that no country in the world would have been able to reach such a level of popular mobilisation with regard to hosting the displaced (Interview, Sweden, June 2015).

Abu Walid also believes that this "amazing" (*mudhhiil*) aid campaign on the part of Yarmouk's inhabitants toward Syrians fleeing opposition-controlled areas that were being pummeled by the regime was the reason behind the 16 December bombing of Yarmouk camp by the Syrian army. As mentioned

earlier, this bombing was a turning point for Yarmouk because it led to massive flight from the camp, effectively ending its role as a haven for civilians displaced from surrounding areas. For Abu Walid, it was no coincidence that the main infrastructure hit in the bombing, a mosque and three schools, had become the headquarters for the provision of aid to displaced Syrians and sheltered some of them at the time (Interview, Sweden, June 2015).

The December 2012 bombings served as an excuse for brigades from the Free Syrian Army (FSA) and Jabhat al Nusra rebel groups, who considered Yarmouk a gateway to the centre of Damascus, to enter the camp, further drawing Yarmouk into the war (Steele 2015). In July 2013, Yarmouk was sealed off from Damascus by a government-imposed siege. By that time, only about 20,000 of the camp's pre-war Palestinian population of 150,000 remained (Steele 2015). Local humanitarian efforts turned toward the camp's remaining inhabitants. Several pre-war social organisations (many of them tied directly or indirectly to various Palestinian political factions) sprang into action, distributing food, collecting waste, and providing clean water to residents. These organisations included longstanding ones such as the Palestine Charitable Organization (*hai'a filastin al kheirie*), the Charitable Organization for the Palestinian People (*al hai'a al kheirie le agatha al-shab al filastinia*), the Jaffra youth organisation, and the Palestinian Red Crescent. They also included organisation such as Basme (imprint), created by civilians in Yarmouk specifically in response to the situation in the camp, and which also played a role in documenting human rights abuses committed by both the regime and the rebels (Bitari 2013; Napolitano 2015; Interviews with Palestinians displaced from Yarmouk, Spring/Summer 2015).

Some of the Palestinians who became involved in assisting civilians in Yarmouk were part of networks that exceeded the camp's geographic location and were able to draw on these networks. Taysir, whose father is Palestinian and mother is Syrian and who eventually sought asylum in the United States, grew up in Yarmouk but was living in his family home in Damascus outside the camp when the uprisings started. In 2012, compelled to take action in the face of the deteriorating situation in Yarmouk, he moved back to his family's home in Yarmouk. As rebel groups cemented their control over Yarmouk and the government-imposed siege started tightening around the camp, Taysir became involved with a group that smuggled medicine into the camp. The group's activities came to an end with the arrest of one of its members, which prompted Taysir to flee to Lebanon and later seek asylum in the United States (Interview, United States, July 2015).

Mahmoud, a Palestinian I interviewed in Sweden, concerned for the safety of his infant children after the start of the uprisings, had moved out of his house in Yarmouk to a more "quiet" area in June 2011. However, until his departure from Syria in 2013, he would regularly return to his house in the camp

to distribute food and medical supplies purchased by the local organisation he belonged to, which was made up of Syrians and Palestinians. Being from Yarmouk, he was responsible for distributing aid in southern Damascus, where Yarmouk is located. While Mahmoud saw himself as helping the camp, he was deemed a “terrorist” by the Syrian regime because the medical aid he and his organisation provided went mostly to treating civilians who could not seek help in government hospitals because they were from opposition-controlled areas (Interview, Sweden, June 2015). He learned in 2013 that he and his Syrian wife, who had also been involved in the distribution of humanitarian aid to civilians affected by the war, were wanted by Syrian security. They fled Syria shortly after with their children.

Mahmoud’s and Taysir’s stories underscore the great risks taken by local humanitarian actors involved the provision of medical support to civilians affected by the war, since these were civilians who usually could not seek treatment in government-run hospitals because they risked arrest or worse by the regime. Generally, though, involvement in any kind of local humanitarian aid in a rebel-controlled area, such as Yarmouk, was dangerous. One was *de facto* seen by the regime as collaborating with the rebels. One was also vulnerable to scrutiny from the rebels or other armed groups such as the Islamic State, which invaded the camp in 2015. Many of the Palestinians from Yarmouk with whom I interacted during my fieldwork underscored the significant number of local humanitarian actors who had been killed because they were seen as working for the “enemy,” or because they were seen as infringing on the authority of a particular armed group based in the camp.¹²

The dangers of engaging in humanitarian assistance to civilians did not deter local Palestinian actors, even as Yarmouk was sealed off from the rest of Damascus by a government-imposed siege in July 2013. Rana, a Palestinian widow, was one of the few Palestinian civilians who opted to stay in Yarmouk after the December 2012 bombings. Even after the death of her Syrian husband who was killed at a checkpoint at the entrance of Yarmouk camp, she was determined to stay in their home in the camp and soon became caught in the siege. Rana became involved in efforts by the Palestine Charitable Organization and the Palestinian Red Crescent to open a pharmacy in besieged Yarmouk. She and her collaborators were able to stock the new pharmacy by contacting pharmacy owners who had fled the camp and arranging to buy the medicine they had left behind. Despite her lack of medical training, Rana became the pharmacist, providing medicine to the entire southern part of the camp. During that same time, she volunteered at two of the alternative schools (*madaris al-badila*) that were created in Yarmouk in the aftermath of the siege. It is to these schools and the role that they played in providing education to children

¹² I believe the term “humanitarian” is the most accurate to use here since interlocutors used the Arabic term “shughl insaani” to refer to these local attempts to assist civilians affected by the war.

amidst the camp's brutal and deadly siege that I now turn (Interview, France, June 2018).

In December 2012, UNRWA suspended its services, including its primary education program, in Yarmouk, as the camp became increasingly drawn into the war (Interviews with Palestinians from Yarmouk, Spring/Summer 2015). With the tightening of the siege in July 2013, formal secondary education provided by the government also came to an end. In response to these events, several alternative schools were set up by camp residents, serving about 5,000 students (Interviews with refugees from Yarmouk, Lebanon and Turkey, Spring 2015). I interviewed Abu Amjad, the founder of one of these schools, *madresa al-shamia al-badila* (hereafter "*madrassa al-shamia*"),¹³ in southern Turkey in April 2015. He had fled to Turkey from Yarmouk about six months earlier (Interview, Turkey, April 2015).

Abu Amjad is an Arabic language teacher by training who worked in a government high school and at the University of Damascus before the war. After Yarmouk became embroiled in the war, he decided in December 2012, along with his wife and niece who were also teachers, to hold classes at home for their own children and a few others from their neighbourhood. This decision was initially taken mainly as a protective mechanism: "The main idea when we established the schools was protection. There was violence, it was all weapons, shelling, bombings...you have to provide an alternative, open schools to bring the children together...[We did it] so that they would remain kids, not be exploited, recruited to fight..." (Skype conversation, July 2020). Another concern was that the children not lose their basic reading, writing, and arithmetic skills. Eventually, the goal of maintaining children's basic skills shifted to providing them with full-fledge schooling.

As the number of children in attendance grew, they looked for a bigger space. They began holding classes in the basements of buildings in the camp, to protect themselves from shelling. They got desks and chairs from abandoned UNRWA schools. People in the camp who witnessed their efforts offered to help. Some donated pencils and notebooks. Former residents who had fled the camp also heard about these efforts and wanted to contribute. Several called to donate the school supplies that were left in their houses in the camp. In one case, Abu Amjad and his partners received a call from a bookstore owner who had fled the camp, and who gave them permission to break into his store and take the school supplies that they needed. The significant number of school supplies left in the abandoned UNRWA schools also proved useful.

The classes were taught by volunteers from the camp, and the instructors closely followed the Syrian curriculum. With most of the educated residents in

¹³ I am using a pseudonym for the school.

the camp having fled, the majority of these volunteers only had a high school diploma—but Abu Amjad gave them additional pedagogical training.

The schools started to attract media attention, especially for operating despite the regular fighting and shelling of the camp and ensuing civilian casualties. In *madrassa al-shamia*, seven students died either in the school or on their way to school as a result of shelling.¹⁴ During one of our many conversations, Abu Amjad explained that even though UNRWA had suspended its services in Yarmouk, “there was always communication between us” (Skype conversation, July 2020). From his perspective, through the alternative schools, the camps’ inhabitants were providing a service for which UNRWA was responsible. At the very least, he expected the agency to pitch in. He explained that UNRWA was initially reluctant to get involved with the schools primarily because the agency feared that if it recognised the schools, it would have to become financially responsible for them: “We told them more than financial support, what we really want is that you recognize these schools and recognize the students and their results...we are ready to teach for free” (Skype conversation, July 2020).

According to Abu Amjad, given the growing positive attention that the alternative schools were getting in the media, UNRWA could no longer ignore the schools. The agency recognised the programs and degrees of the alternative schools as legitimate. As part of conferring legitimacy onto the schools, a system was established in which the schools would send the students’ end-of-year exams to UNRWA to be graded by UNRWA educational staff who had left the camp. Later on, UNRWA, as well as the PLO, would play a crucial role in negotiating with Syrian authorities to allow students from Yarmouk’s alternative schools to exit the camp in order to take national exams in a different part of Damascus.¹⁵ The agency would also play a role in housing and feeding the students during these officially sanctioned trips outside the camp (Interview with UNRWA staff, March 2015; Interview with Abu Amjad, Turkey, April 2015).

August 2013 marks the beginning of what Abu Amjad describes as the “period of hunger,” (*fīrat al-jua*), when the Syria government started limiting what people could bring into the camp. By October of that same year, all food products and medicine were prohibited from entering the camp. That month, the camp lost its first hunger martyr, a baby girl named Wajd. At this time, those who had the most food were eating one meal a day; others were eating one meal every two or three days. This was not a real meal, as it would usually consist of one ingredient like rice or lentils eaten over and over again leading to

¹⁴ I changed the name of the school to protect Abu Amjad’s identity.

¹⁵ In addition to my conversations with Abu Amjad, this information is based on interviews with Palestinians from Yarmouk as well as UNRWA employees in summer 2015. A report from the Norwegian Centre for Conflict Resolution corroborates the existence of Yarmouk’s alternative schools (referred to as “alternative community schools”). With regard to facilitating students’ ability to take their national exams outside of besieged Yarmouk, the report acknowledges UNRWA’s role as well as that of “the Palestinian factions”, but does not specifically name the PLO (Nasser 2017).

malnutrition. Students started to arrive in class tired and weak. Some of them were suffering from anemia and from diseases like jaundice. The situation got even worse; eventually, all people could find to eat were leaves and weeds.

Abu Amjad and others running the alternative schools considered closing them, but parents intervened, begging them not to because, at least, school took the children's minds off the hunger. The schools remained open, but the curriculum was adjusted so that only half of the day was spent on core subjects and the other half was spent on artistic and childhood development activities.

In January 2014, UNRWA was able to make its first food delivery since the siege had started and was able to continue over the course of the year with intermittent food distribution (Gabiam 2016; Steele 2015). During this time, Abu Amjad was facing growing harassment from Jabhat al Nusra (the dominant rebel force in the camp at the time) for running a mixed boys' and girls' school, and for including singing and dancing in the curriculum. In addition to running one of the alternative schools, he also took over the leadership of Basma, the local relief organisation mentioned earlier, and spoke out about abuses committed by the regime and by the rebels in the camp. He began to receive death threats. His brother, who was also involved in local relief activities, was killed in June 2014. Abu Amjad decided to flee. He was able to do so in August 2014 while accompanying some of his students who had been given permission to exit the camp to take their exams in Damascus and whom he had been tasked with supervising. Instead of returning to the camp with them as he usually did, he fled, crossing clandestinely into neighbouring Turkey with the help of a smuggler.

In April 2015, the Islamic State in Iraq and the Levant (ISIL) invaded Yarmouk camp. The camp became completely off-limits to outside humanitarian organisations, including UNRWA. Several thousands of the camp's inhabitants were able to flee after the ISIL invasion to the surrounding rebel-held villages of Yalda, Babila, and Beit Saham, where they had intermittent access to UNRWA aid (see Gabiam 2016). *Madrassa al-shamia* opened a branch in Yalda to accommodate the students who had fled there. Four months after ISIL's invasion, *madrasa al-shamia* was forced to completely relocate to neighbouring Yalda because of pressure to adopt a curriculum that fit ISIL's standards, but students were able to commute from Yarmouk. In June 2018, the Syrian government launched a military campaign in Yarmouk, with the official goal of dislodging ISIL fighters from the camp. In the aftermath of this campaign, which achieved its stated goal, a significant portion of the camp lies in ruins and most of its pre-war inhabitants remain displaced (AGPS 2019; UNRWA 2023b).

Most of the families who had endured the siege of Yarmouk fled to surrounding areas with a number of them continuing to Idlib in the north of the country, accompanying rebels who had received safe passage there as a result of a deal with the Syrian government and Syrian rebels. This moment marked

the end of Yarmouk's alternative schools. Students who remained in the areas adjoining Yarmouk were absorbed back in the UNRWA and government school system as the Syrian government asserted its control over the areas south of Damascus.

Abu Amjad, who now lives in France, where he and his family received asylum, looks back with pride on the alternative schools: "*Alhamdulillah*, in all of [rebel-held] Syria, Yarmouk is the only place where education never stopped." Not one of his students missed a school year or was held back once the siege ended and the Syrian government took over. He is also proud that the success rate for national exams for the students in the alternative schools was 75 percent, significantly higher than the national success rate (Skype conversation, July 2020).

Conclusion

In this chapter, I have sought to illustrate some of the mechanisms used by ordinary Palestinians to address the devastating effects of the war in Syria. In doing so, I have focused on actions that range from acts of care and protection, especially within the realm of the family and of kinship networks, to more organised forms of social activism, such as the creation of alternative schools in Yarmouk.

An emphasis on how ordinary Palestinians responded to the suffering unleashed on them by war in Syria takes us beyond the realm of "humanitarian reason," a mode of governing that operates through the expression of concern for victims caught in precarious situations and that emphasises human empathy rather than a concern for rights or justice (Fassin 2012). Indeed, this chapter highlights the actions of victims of war in the face of their own suffering or in relation to suffering within their own crisis-stricken community, rather than coordinated relief or rescue efforts on the part of actors who are external to the crisis. While these actions sometimes overlap with the concept of humanitarian reasons, they also exceed its frame: they are not necessarily happening at the macro-level of public space, and not always easily conceived of as being directed "from above to below, from the more powerful to the weaker, the more fragile, the more vulnerable" (Fassin 2012, 04). At the more intimate and messy level of the everyday and of individual action and, given the overlapping crises affecting the lived reality of the Palestinian refugees featured in this chapter, the power to alleviate suffering and one's status as a victim fluctuate, are highly contextual, and can co-exist in the same individual.

Additionally, looking at the alleviation of suffering and efforts to save lives at the micro-level of crisis provides insights that exceed those of mainstream humanitarian discourse. For example, providing humanitarian aid to Syrians

displaced to Yarmouk by the war is explained primarily as the fulfilment of a debt or obligation, stemming from the way they had been received by Syrian society in 1948, rather than simply through a call to empathy for suffering of Others.

A focus on Yarmouk's alternative schools shows that it is primarily because of besieged Palestinian refugees, and not UNRWA, the humanitarian organisation created to assist them, that education continued in Yarmouk camp, and that a significant number of besieged Palestinian students were able to smoothly transfer back into the UNRWA education system once the agency started operating again in the southern Damascene suburbs. UNRWA did become a partner of sorts to these alternative schools by officially recognising their curriculum and negotiating with Syrian authorities the safe passage of students outside of Yarmouk to take their exams, but this partnership was made possible and initiated by the refugees and not the other way around.

The stories told by ordinary Palestinians in this chapter highlight a group of victims of the Syrian war that are largely occluded in mainstream humanitarian discourse: men of fighting age (see Davis et al. 2014). From the perspective of the Palestinian refugees I interviewed, sons of fighting age or nearing fighting age were an especially vulnerable category that demanded protection. This category is absent from the global humanitarian discourse on vulnerability (Davis et al. 2014; Kofman 2019). While Samah and her mother, by virtue of being women, were much more likely to be perceived as victims and elicit sympathy from NGOs or asylum authorities as they migrated alone to Europe (Kofman 2019), Samah's family's quest for asylum in Sweden was primarily triggered by concern for her brother Adnan who, nearing adulthood, was facing the risk of forced military conscription.

Finally, a focus on ordinary Palestinian refugees' responses to the war in Syria demonstrates that the messiness of everyday life transcends preconceived national barriers. As several examples in this chapter have shown, it is not unusual for the kinship and social network of ordinary Palestinians to include Syrian nationals, making it harder to fully separate the experiences of Syrian and Palestinian civilians.

I do not seek to romanticise the forms of micropolitics that emanate from the actions of ordinary Palestinian refugees. In the end, they can be considered strategies of survival that are happening within national, regional, and international systems that have failed ordinary people caught in the crosshairs of war. By highlighting these acts, I do not wish to minimise or detract attention from the role and responsibilities of official actors such as states, as well as intergovernmental and international non-governmental organisations in alleviating suffering caused by war. Rather, by focusing on the resourcefulness of ordinary people during times of crisis, I have sought to offer a more complex picture of the response to such crises and to highlight the insights

gained by acknowledging this more complex picture. Finally, I have sought to show that refugees are not passive victims, but resourceful actors even in the direst of circumstances. This resourcefulness should be acknowledged in official attempts to respond to refugee crises—not as an excuse to neglect these crises, but in order to more effectively address them.

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Chapter Thirteen

The Palestinian Community in Chile: Distant in Time and Space, Yet Politically Close to Palestine

Nadia Silhi-Chahin

The Palestinian community in Chile has special and noticeable features. It is the largest Palestinian community outside the Middle East, currently mainly composed of 3rd/4th generation Palestinian descendants. These Christian Palestinians arrived in Chile before the creation of Israel from villages of Central Palestine, constituting a community of economic migrants -instead of refugees- that became part of the local ruling class in their host country. This paper aims at showing that what distinguishes the Palestinians in Chile is their political commitment to the Palestinian cause across their history, following the events taking place in the Arab World. In Chile they have always been those leading the defence of the Palestinians. More recently, this has meant their engagement to Palestinian led campaigns for Palestinian rights.



38 Days of Re-Collection

2014 | A constellation of black-and-white film negatives (created from digital images), printed on B&W photo emulsion spread on fragments of painted walls collected from homes in Jerusalem's Old City. The photographs were taken in a Palestinian home under occupation since 1948.

Source: **Steve Sabella**, <https://stevesabella.space/pages/38-days-of-re-collection>

Introduction

This chapter is about the Palestinian community in Chile and its historical and political engagement with the Palestinian people's national cause. The Palestinian diaspora in Chile has unique features and characteristics compared to Palestinian diasporas elsewhere. They constitute the largest Palestinian community in the world after Jordan. Mainly composed of third or fourth generation Palestinian descendants, they are fully integrated in the host society in all aspects of life: economically, politically, culturally, and socially. These Palestinians arrived in Chile before the creation of the State of Israel from Beit Jala, Bethlehem, and Beit Sahour, constituting a community of economic migrants instead of refugees. The vast majority of them were Christians, a condition that greatly facilitated their assimilation in Chilean culture. Although there are other Palestinian communities in the world with similar characteristics—such as the ones in Honduras or El Salvador, which are equally old and belonging to the ruling class in their host societies—what distinguishes the Palestinians in Chile from other Palestinian communities is their political commitment to the Palestinian cause. Moreover, in Chile, they are the ones historically leading the defence of the Palestinians—unlike in other countries (such as the European ones) where traditionally, if a support to Palestine exists, it is often led by “local” leftists.

Even though the last decade witnessed an increase in scholarship examining the Palestinians in Chile, this diaspora community is still underexamined. This chapter aims at enriching academic knowledge about this diaspora community. Specifically, it aims to provide an overview of their history, characteristics, and evolution as a diaspora community, as well as their modes of mobilisation and engagement in promoting Palestinian rights across time. The argument presented in this chapter is divided into four parts, which will unfold in a historically chronological order in conjunction with the different developments in Palestine and Chile. In the first part, the origins and overall characterisation of the Palestinian community in Chile will be presented, along with their modes of integration and their efforts to maintain relations with Palestine and the Arab world. This period stretches from the Palestinian arrival in the late 19th early 20th century until the 1960s and the creation of the Palestinian Liberation Organisation (PLO). It witnessed the rise of economic power of the Palestinian diaspora and the development of three core institutions that facilitated their ties with Palestine: the Arab press in Chile, the Palestino Football Club, and the Palestino Social Club.

In the second part, the “PLO period” in Chile is addressed. This period, which stretches from the creation of the PLO until the signature of the Oslo Accords, was crucial for the Palestinian people all over the world and Chilean-Palestinians would not be an exception. Furthermore, this period is marked

by the democratic election of Salvador Allende and the subsequent coup d'état and military dictatorship. These political events would amount to twenty years of Chilean history that would polarise Chilean society and the Palestinian community. However, a process of unity would start with the Sabra and Chatila refugee camp massacres in Lebanon, compelling the Palestinians in Chile to cooperate again on behalf of Palestine, dismissing the quarrels that had arisen as a result of their political stand.

The third part will address the developments within the Palestinians in Chile in conjunction with the Second Palestinian Intifada. This period is characterised by the remobilisation of civil society organisations, the professionalisation of Palestinian advocacy, and the consolidation of the pro-Palestinian lobby. This period would set a new stage for the Palestinian community and is addressed as such.

Lastly, the fourth part will describe the development of the local pro-Palestinian lobby and the establishment of the Boycott, Divestment, and Sanctions (BDS) campaign in Chile in 2015-2016, noting some of its successes and challenges. The BDS campaign in Chile has achieved major victories since its establishment especially in the academic realm, thanks to students of Palestinian descent and their Chilean peers. Furthermore, the Palestinian community lobby has achieved symbolic victories in the field of sanctions. Nowadays, Palestinians in Chile are building solidarity alliances with local political and social movements in order to support the Palestinian liberation cause.

The roots of the Palestinian community in Chile

It is frequently said that, in every Chilean town, it is possible to find a police officer, a priest, and a Palestinian. Indeed, Chile is home to the largest Palestinian population outside the Middle East and the Arab world, and the second largest worldwide after Jordan. Although no official figures are available, it is estimated that Latin America is a home to approximately 25-30 million people of Arab origin, 700,000 of whom are Palestinians. Within Latin America, Palestinian descendants can be mainly found in Chile (350,000–500,000), El Salvador (100,000–200,000), and Honduras (100,000–200,000), together with other tens of thousands dispersed across fourteen countries (Aljamal and Amour 2020). Aljamal and Amour point out that “most of the Palestinians in Latin America have assimilated into their new communities. The vast majority of them do not speak Arabic, as several successive generations have been born away from Arabic-speaking surroundings; though there have been some efforts to connect these communities with the Arabic language and the culture of Palestine” (Aljamal and Amour 2020, 102-103). Spanish has become their mother tongue.

Palestinians alongside Syrians and Lebanese have immigrated¹ to Latin America over one century ago (Baeza 2010). Nowadays, they are mostly represented by their second, third, or even fourth-generation descendants (Baeza 2010). It is noteworthy that the Palestinians arrived in Chile long before the creation of the State of Israel in 1948. In general terms, these migrant groups constitute a diaspora community of economic migrants (Aljamal and Amour 2020), unlike the majority of the Palestinian communities overseas, which are mainly exiled and dispossessed Palestinians and/or their descendants (Baeza 2010).²

Regarding the causes of their immigration, leading scholar Cecilia Baeza recalls geopolitical developments in the region and the quest for better life as the factors driving Palestinians immigration to Chile, noting:

following the 1908 Young Turk Revolution, a new military conscription law had come into effect making military service compulsory for all Ottoman subjects. Christian families were particularly concerned that their sons would serve as cannon fodder and they sent their male children off to Latin America where they had relatives. Furthermore, with the onset of World War I, the economic situation in Palestine deteriorated dramatically, creating a further motivation for leaving the home country combined with the pull of economic opportunity marked the beginning of a “chain migration”, with nephews, brothers, cousins, and sometimes entire families leaving everything behind to join their relatives abroad. However, emigrants were not moved only by external factors. They sometimes had personal motivations for emigrating. The men were inspired to follow the pioneers’ paths in their westward migration to do business while the women came along mostly as daughters and spouses. (Baeza 2014, 60-61)

Most of the Palestinians from Chile immigrated from the cities and villages of Central Palestine,³ mainly from Bethlehem, Beit Jala, Beit Sahour, and—to a lesser degree—from Jerusalem and Taybeh (Baeza 2014). Since many of them held Ottoman Empire passports, they were called *turcos* (which literally means “Turks” in Spanish) by the locals and categorised as such by migration officials (Baeza 2014). Additionally, they were and continue to be Christians, not Muslims, in contrast to the majority of the Palestinian population worldwide. Their Christianity had played a central role in facilitating their assimilation in these Latin American host countries. It is reasonable to believe that, if these immigrants were Muslims instead of Christians, they would have had to strive considerably harder to become part of their host society, which was essentially Catholic when the Palestinians arrived.

¹ Palestinian migration started in the late 19th century. The most significant immigration waves are registered between the years 1910-1930 and it is not possible to determine any cessation of Palestinian immigration since then. Palestinians have continued to immigrate to Chile at the rhythm of wars and economic crises in Palestine.

² The Palestinians whose immigration is registered in the 1950s were not refugees either, but still economic migrants who got to Chile to continue the businesses already started by their relatives (Baeza 2010, 175).

³ Each time “Palestine” is mentioned in this chapter, with no further information, it refers to historic Palestine, which means the Palestinian land over which British rule was established in 1920.

Nowadays, these Palestinians are full citizens in their Latin American host countries. Furthermore, they even belong to the middle and upper classes, being part of the local elites. Nevertheless, in the early years following their arrival, the *turcos* suffered from discrimination— unlike European migrants, whose arrival was encouraged by Latin American governments. This pejorative connotation of the term was associated with the immigrant occupation of tradesperson (specifically, peddler) and with their cultural practices rather than with their racial origin (Baeza 2010, 2014), which ultimately contributed to strengthening ties among themselves that continues until this day. Accordingly, Baeza affirms that this Palestinian community has not renounced any diasporic identification. On the contrary, friendship, business, and, in some cases, even marriage are still based on sharing this common origin. Indeed, in every country where Palestinians are numerous, they have constituted community associations, which play a double role as socialising hubs and ethnic representative organs (Baeza 2010).

Despite the early challenges, the Palestinian community strived to take part in both public and private sector activities. It is now a fully integrated and well-known community playing a role in the social sphere (mixed marriages and friendships)—as well as in the labour, cultural, economic, sport, and political spheres. There are numerous examples of members of the community that are being recognised by their peers as standing out in their professional work. In the words of Carla Leone, “nowadays, having Palestinian roots in Chile is a sort of status symbol: Chilean-Palestinians celebrate with considerable pride the social ascent that brought them to be part of the leading class of the country. The myth of the “self-made man” is deeply rooted in their narrative” (Leone 2018, 3). Indeed, “the Palestinian diaspora has consolidated itself as one of the strongest groups in Chilean society, acting in all social spheres, with great political and economic power” (Sarras 2019, 25). Palestinians are highly successful in literature, poetry, academia, and politics, both at national and local level (Leone 2018). Actually, “about 10 percent of the members of the National Congress of Chile, the country’s legislature, are of Palestinian origin, four times their proportion in the population” (Arad 2018).

Beside their successful assimilation, the Palestinian community in Chile also strived to maintain its identity and links with Palestine. This is the result of several elements, including their early exclusion from Chilean society, which consolidated their ties among each other; the continuous migratory waves of Palestinians from the late 19th century up to present day, which updated the community’s cultural elements; and the occasional visit to Palestine by members of the community. In the quest to maintain ties with Arab culture(s) and to Palestine, early Palestinians established several organisations that helped consolidate their ties as a community and strengthen their ties with the Arab world. Also, as the community economically strengthened its position, it also became involved in internal politics by lobbying for Palestinian rights, as

we will see below. It is important to note, however, that despite the strength of the community, according to Baeza, there is not only one voice representing all Palestinians in Chile or their position vis-à-vis Palestine's struggle for liberation (Baeza 2010). The position each one of them adopts regarding this matter responds to their political and economic background, which often led to tension within the Palestinian community, which in turn often affected their position vis-à-vis Palestine.

Chilean-Palestinian institutions

Back in the 1920s and 1930s, the Arabs founded a wide range of associations and press organisations. In the late thirties, they supported the Palestinian cause and collected money to be sent to the Palestinian revolutionaries, to their families, and to the victims of the Arab revolt (1936-1939). At that time, they were still small traders, mainly associated among themselves more than with Chileans. Endogamous marriages, community mutual aid via mutual societies, and networks promoting migratory chains are proof of that. They identified themselves as part of the "Arab/Palestinian race." In return, the locals stereotyped the *turco* as a skilful and hard worker but a stingy and exploitative merchant (Baeza 2010). Among the institutions established in this period, three should be highlighted: the Arab press, Palestino Football Club, and the Palestinian Social Club. The last two are not only still in existence, but are crucial to shaping their Palestinian identity.

The Arab press in Chile

In the 1930s and 1940s, around 22 newspapers in Arabic were printed in Chile. Their rhetoric was nationalist, reproducing in Chile news previously published in the Arab world's local press, paying special attention to the Palestinian situation (Cumsille 2018). The case of the *Mundo Árabe*⁴ (*Arab World*) journal is remarkable. Between 1930–1942, it was called *Al Islah* (which means "reform"), publishing news in Arabic before transforming into Spanish in the early 1950s until 2014, when it ceased to exist (Baeza 2010; Cumsille 2018). According to Leone, "the aim of the journal was the promotion of Arab pride in both their cultural heritage and entrepreneurial initiative" (Leone 2018, 63). The journal was published during a time when the Arab communities were starting their process of integration into the industrial and cultural elite. Through *Mundo Árabe*, Chileans of Arab descent could share information about the most prominent families in the community (marriages, deaths, and other news).

⁴ *Mundo Árabe*'s archives can be found at: <http://www.mundoarabe.cl/> (accessed 27 May 2020)

In the case of the Palestinian community in Chile, several collaborators of the journal *Mundo Árabe* were, in fact, women. In addition, many references were also made to the political situation in the Arab world, mainly Syria, Palestine, Jordan, and Egypt. As a good example of that, in the November 1932 issue, the review published an article entitled “The Day of Palestine,” inviting the whole Arab colony to protest against the Balfour Declaration, on the occasion of its fifteenth anniversary, and to act against the Zionist’s claim to Palestinian land (Leone 2018). Meanwhile, a different approach can be seen in the columns of *Oriente*, the second most popular Arab journal in Chile, which began publishing in 1919, a few years before *Mundo Árabe*. *Oriente*—whose name later changed to *Al Shark* (*The East*, in Arabic), at the same time that it started including articles in Arabic—addresses political issues, both in Chile and in Palestine. It was through *Oriente* that the Palestinians used to express their anger towards the British Mandatory leadership (Leone 2018). These newspapers succeeded in consolidating the relationship between the Palestinian community in Chile, mobilising them politically, and upscaling their voice on matters related to the Arab world, and to Palestine in particular.

Palestino Football Club

In the words of Ramzy Baroud, “Chilestinians offer a real living example of the collective Palestinian identity that existed before Israel itself was violently imposed on the Palestinian map” (Baroud 2020). In this regard, a special mention has to be made of the renowned Palestinian Football Club (known as “Palestino”), which was established with the purpose of creating a safe social space for the Palestinian community where they could play sports. Before the Palestino Football Club was set up, Arab players were usually prevented from joining the local teams due to prejudice and discrimination. Therefore, Palestinians created their own football club in order to be able to participate in the national tournaments. It was unofficially established in 1916 and, officially, four years later in the Southern Chilean city of Osorno. “Palestino was established to ensure the children never forget the name and that they continue to chant the name of Palestine for many years to come” (Baroud 2020).

Palestino Football Club plays at La Cisterna stadium in Santiago since 1979. More recently, in 2019, it was ranked the best Chilean team by Football World Ranking after winning the 2018 *Copa Chile* for the third time in its history. Palestino is sponsored by the Bank of Palestine, which in November 2017 opened its offices in Santiago de Chile, becoming the first Arab bank in Latin America (Sarras 2019). The football club gained worldwide attention by daring to use a map of historic Palestine on its jersey (Baeza 2014). Nonetheless, Palestino was forced to remove the map from the players’ jerseys and pay a fee as a result of a decision of the Asociación Nacional de Fútbol Profesional (ANFP) following a complaint of another Chilean football

club, Ñublense.⁵ However, even though it is no longer their official jersey, many Palestinian supporters wear it overseas. In words of Mariana Ghawaly, “entering into the stadium and seeing huge Palestinian flags being proudly waved and names of Palestinian cities called out by the moderator one may understand the mission of the football team: to keep Palestine alive and on the map despite the constant attempts to erase it” (Ghawaly 2020, 30-31).

The Palestinian Social Club in Santiago: *El Estadio Palestino*

Since Palestinian elites were still not allowed into exclusive Chilean social spaces (clubs) in the 1920s and 1930s, even if the Palestinians were wealthy, they created their own clubs, which allowed them to preserve their cultural identity as well. They also created schools, like other *colonias*⁶ in Latin America did⁷ (Baeza 2010; Schwabe 2016).

Social clubs connected to the Palestinian community were created, too, during the early 1920s and 1930s. In 1938, the Yarur family, one of the richest industrial families of Palestinian origin, founded the Club Social Palestino⁸ (also known as the Estadio Palestino) in Santiago’s downtown (Rosenberg-Carlson 2018). At some point, that building became too small, so from 1967 to the present the Club is located in the above-mentioned district of Las Condes⁹ (Schwabe 2016), and still represents the most important focal point for Palestinians in Chile. It has several facilities that host social, sporting, cultural, and political activities (Baeza 2010; Schwabe 2016; Caramuru Teles 2017).¹⁰

⁵ See, for example: http://www.teinteresa.es/deportes/Palestina-Israel-camiseta-futbol_0_1064294266.html (accessed 1 July 2020)

⁶ During the 20th century, migrant communities in Chile were commonly referred to as *colonias* (colonies).

⁷ For example, in Chile, it is quite common to see German clubs and schools, mainly in the south of the country. The German migration to Chile followed the policy of the Chilean government on the late 19th century, depopulating vast territories and dispossessing the indigenous population (the Mapuche people), to colonise it with German settlers instead. See, for instance, Vicente Pérez Rosales’s autobiographical novel, *Recuerdos del pasado (Memories From the Past)*. In the case of the Arabs, they created Arab schools in the most important cities of Chile. In Santiago, the *Colegio Árabe* is a private school founded in 1978, located in the wealthy district of Las Condes, where the kids’ education has a special focus on the Arab world, including a trip to Arab countries in the latter stages of their education.

⁸ It is noteworthy that the *Club Palestino*, also known as *el Estadio Palestino*, is one thing, while *el Club Deportivo Palestino*, widely known as *el Palestino*, is another. Whereas the first one is the social hub for the Palestinian community, the second one is a professional Chilean football club.

⁹ The Las Condes area is home to *el Club Palestino*, the Palestinian Embassy, and the *Colegio Árabe*. Moreover, the district is home to a large portion of the Palestinian-Chilean families that currently reside in the capital, and several family-owned businesses, restaurants, and shops.

¹⁰ Considering the current global crisis due to the COVID-19 pandemic, the president of the *Comunidad Palestina de Chile*, Maurice Khamis, offered the Chilean Ministry of Health free use of the facilities of the *Estadio Palestino*. See: <http://www.federacionpalestina.cl/club-palestino-ofrece-sus-instalaciones-al-ministerio-de-salud-para-enfrentar-pandemia-del-coronavirus/> (accessed 27 May 2020).

Economic success, permanent settlement, and (local) political mobilisation for Palestine

The expanding economic activity of Palestinian community members led to a process of permanent settlement. During their first decades in Chile, they would be mostly involved in commerce, notably the textile and clothing trade (Aljamal and Amour 2020). As Baeza lays out, “in Santiago de Chile, an ethnic district emerged in Patronato, the site of the first Eastern-Orthodox Church built by the Palestinian community in 1917, around which grew a neighbourhood of small sewing workshops, clothing stores, and the residences of first- and second-generation Palestinian immigrants” (Baeza 2014, 62). In the 1940s, a new industrial and urban bourgeoisie of Arab origin emerged. It tailgated the dominant economic sectors (Baeza 2010).

In addition, the development of universities offered the aspiring middle class great opportunities. The children of these Palestinian immigrants were encouraged to go to university and obtain degrees in law, medicine, engineering, and other areas conducive to liberal professions, which are renowned for being prestigious and for facilitating their integration into the society. Nevertheless, at the end of the 1940s, they diversified their professional choices, deciding to pursue less profitable careers that were richer in terms of cultural capital. Therefore, socialisation spaces became broader and mixed,¹¹ which favoured the loss of the Arabic language and exogamous marriages (Baeza 2010, 2014). However, the integration and social mobility of the Palestinians in Chile would not yet imply the end of discrimination against them (Baeza 2010).

Regarding the political mobilisation for Palestine, 1947 would mark the first major political victory of the Palestinian descendants in Latin America, not only in Chile,¹² obtained thanks to the mobilisation of Palestinians in their respective host countries. It consisted in the abstention of these host countries from voting on the partition of Palestine at the United Nations (UN) General Assembly in November that year (Baeza 2014; Leone 2018). This achievement took place in Honduras and El Salvador, as well. In the case of Chile, this mobilisation was led by Arab-descended law students (from Palestine, Jordan, Syria, and Lebanon) at the University of Chile’s Law School. These youths held meetings with local authorities, and published letters and articles to prevent Chile from voting in favour of the partition of Palestine. The victory is especially significant considering that, by that time, the furious anti-communist Gabriel González Videla was Chile’s President (Cumsille 2018). This success was meaningful for

¹¹ “Although in the early decades the Palestinians in Chile married within the community, these days, about 70 percent marry outside. Still, even those with only one Palestinian parent will generally consider themselves proud Palestinian Chileans” (Arad 2018).

¹² Prior to that, two points should be recalled. Firstly, that during the British Mandate, Palestinians organised themselves in Chile to obtain their nationality (Leone 2018). Secondly, that from the 1930s onwards, Chilean politicians became seduced by the Zionist project. In response, the Palestinians created the “Palestine Committee” in December 1947 (Baeza 2010).

those that took part in it because they realised the impact that their actions could have, considering their recently achieved social status. Thus, they learnt that they could influence local politics. In 1948, the “United Front of Chilean Youth of Arab descent” would be created (Baeza 2010).

In the 1950s, along with the rise of new political parties, Palestinian descendants increasingly started to engage in national politics and to serve in the government in different positions (Baeza 2014). Moreover, the appearance of banks in Chile in the 1950s and 1960s is closely linked to industrialists of Palestinian origin (Baeza 2010).

The PLO era until the Oslo Accords

The process of cultural assimilation of the Palestinians was deepened between 1948 and 1970. The children of the early immigrants became Chilean of Palestinian descent. However, the identification with Palestine survived through networks of families, friends, businesses, social clubs, and food, which represents an emotional connection to the homeland (Baeza 2014).¹³

Hand in hand with the Nakba and the process of assimilation in their home countries, the Palestinian cause tended to disappear from the public arena. However, in the early 1960s, thanks to the emergence of Chilean intellectuals of Palestinian descent and the arrival of new immigrants, interest reappeared. In March 1964, the Chilean poet of Palestinian descent, Mahfúd Massis, and Fuad Habash, an Arabic teacher from Jerusalem who had recently arrived to Chile (sent to Chile by the Arab League as its press representative after spending four years in a Jordanian prison for his communist beliefs), founded the Front for the Liberation of Palestine (Frente de Liberación de Palestina, FRELIPA).¹⁴ The organisation had its own newspaper, *Palestina Patria Mártir* (*Palestine, Martyr Homeland*), with funding from the Arab League. They also organised demonstrations and cultural events. An important element that distinguished them was their Palestinian character, given that the previous organisations had a more Pan-Arabist character. Nevertheless, their leftist ideas and their opposition to American imperialism—and the consequent endorsement of Latin American struggles from this set point—did not encourage much adherence in the local Palestinian community; particularly, the industrial elite did not welcome it with much sympathy (Baeza 2010, 2014).

¹³ Palestinian descendants in Chile still prepare Palestinian recipes on a daily basis. More accurately, these plates are typically “Chilestinian” since the followed recipes amount to an adaptation of the original recipes, brought by their ancestors from Palestine, to local ingredients. For example, buying dates and pistachios a century ago in Chile was completely impossible, so they started using walnuts to replace the other two ingredients. Furthermore, they seem to have kept on cooking like that for over a century now, even though in Palestine the recipes have experienced natural evolutions.

¹⁴ Fuad Habash appears in multiple political columns from *Mundo Árabe* in the late 1960s and early 1970s. In 1972, during Fidel Castro’s visit to Chile, he interviewed him on how to unite the anti-imperialist struggles of Cuba and Palestine (Rosenberg Carlson 2018). Cuba has been the only Latin American country historically supportive of the Palestinian cause (Aljamal and Amour 2020).

When the first delegation of the PLO arrived in Chile in 1966, the visiting Palestinian officials met with FRELIPA's few members. Their objective was to secure three seats to represent the Palestinians of Latin America at the Palestine National Council (PNC), established by the PLO as the parliament for Palestinians worldwide. It is worth noting that regarding the PLO, Palestinians from Latin America performed mainly a donor funding role (Baeza 2014). Besides, the appearance of the PLO—along with its *thawra/fedayin* symbols (revolution and freedom fighters)—at first even contributed to deepening the differences between the Palestinian communities in Latin America, a continent already marked by ideological divisions (Sarras 2019). Chile was not an exception to this.

Indeed, in 1970, Salvador Allende, the socialist candidate, became the democratically-elected the President of Chile. A process of nationalising industries took place in the country, including the textiles plants, many of them owned by Palestinian entrepreneurs—who were, obviously, opposed to the Allende's government (Baez 2010, 2014; Aljamal and Amour 2020). Furthermore, some of them even played an important role in the military coup against President Allende in 1973 and became apologists of the subsequent military dictatorship¹⁵ that returned the textile factories to their owners. Paradoxically, the neoliberal politics that would be imposed by Pinochet would lead to the end of the national industry (Baez 2010; 2014), a phenomenon that would prompt the Palestinian descendants to diversify their businesses (Baez 2010).

However, some Chilean individuals with Palestinian roots were strong supporters¹⁶ of Allende's government, and suffered political prison, torture, extrajudicial killing, and exile like other Chilean dissidents (Baez 2010). Moreover, some Palestinian descendants even took part in radical leftist organisations that engaged in armed struggle as a strategy to end the military regime, such as Movimiento de Izquierda Revolucionaria (MIR) and Frente Patriótico Manuel Rodríguez (FPMR)¹⁷ (Baez 2010). As Baeza affirms, the political scenario of Chile transcended and defined the local Palestinian community. That is still the case: in Chile one finds Palestinians from the Communist Party to the Unión Demócrata Independiente (UDI), the most conservative and neoliberal party (Baez 2010).

¹⁵ Although the dictator Pinochet used nationalist rhetoric for cultural matters, that was not the case for economic matters. Furthermore, in this rhetoric, it was the subversive who was against the interests of Chile, not the foreigner. Thus, Palestinian descendants in Chile experienced no discrimination against them because of their origin by the military regime.

¹⁶ See: <https://bibliotecadigital.indh.cl/handle/123456789/455> (accessed 27 May 2020). The Palestinian researcher Basil Farraj narrates in his Master's thesis his visit to Villa Grimaldi, one of the main centres of detention, torture, and enforced disappearance of the Chilean dictatorship, when he noticed the name of María Teresa Eltit, counted as detained-disappeared until today. The Eltit family is a renowned Palestinian family, which, in addition to others, has a considerable presence in present-day Chile. For Farraj "it was neither a story of the Palestinian diaspora's economic or political successes, nor of the Palestino football team or el Estadio Palestino. It was, rather, one of many stories of dictatorship's violence with pain that continues onto this day" (Farraj 2017, 9).

¹⁷ Respectively, the Revolutionary Left Movement and the Manuel Rodríguez Patriotic Front.

Concerning the PLO, with its recognition as the sole legitimate representative of the Palestinian people in 1974, it was able to open information offices across the continent and to develop a network of representatives. The Palestine Information Office in Chile (Oficina de Informaciones Palestinas, OIP) opened in 1978, during the rule of the Pinochet military dictatorship. The first years were not easy since, as mentioned earlier, the PLO was seen by many—also within the Palestinian community—as subversive (Baeza 2010, 2014). In fact, it had ties to Marxist Latin American organisations (Aljamal and Amour 2020). However, for Cumsille, the PLO played such a pivotal role in Chile that, even today, there are divisions within the local Palestinian community that mirror divisions among the Palestinian political parties that conform to the PLO—which means that even today some Palestinian descendants in Chile are part of some of the political parties (mainly Fatah and the Popular Front for the Liberation of Palestine, or PFLP) that conform to the PLO (Cumsille 2018).

Only the massacres of Sabra and Chatila¹⁸ in 1982 would bring the Palestinian community together (Baroud 2020; Baez 2010). For the first time, the existence of civilians gained attention when referring to the Palestinian conflict (Baez 2010). In this context,

[...] in 1984 the Palestinian Club of Chile and the Federation of Brazilian-Palestinian Associations called for holding the first PLO-backed congress of Palestinian organizations from Latin America and the Caribbean. The congress took place in São Paulo and resulted in the creation of the Confederation of Palestinian Communities of Latin America and the Caribbean (*Confederación Palestina de América Latina y del Caribe, COPLAC*). Eleven representatives from Latin America were selected as delegates to the PNC. This newly established institutional connection with the PLO was especially helpful in motivating the young. Many of them joined *Sana'ud*, a transnational cultural movement created by the PLO for young people of Palestinian descent to reconnect with Palestinian culture, and dozens of *dabke* dance troupes were formed in Brazil, Chile, and other Latin American countries. In Chile, university students went even further and founded *GUPS-Chile*,¹⁹ the local branch of the decades-old General Union of Palestinian Students. (Baeza 2014, 67)

Expressing their will to be part of the central structure of the PLO, these Palestinian-descended students started to teach Arabic, history, and *dabke* courses (Baeza 2010).

¹⁸ On the occasion of the Sabra and Chatila massacres, Arab organisations in Chile published a press release on the 20 September 1982 in the most important newspaper in Chile, *El Mercurio*, condemning the massacre. The signatories were: Club Palestino, Club Sirio Unido, Club Unión Árabe de Valparaíso y Viña del Mar, Oficina de Informaciones Palestinas, CIPROCHA (Círculo de Profesionales Chilenos de Ascendencia Árabe), Instituto Chileno Árabe de Cultura, Unión Árabe de Beneficencia, the women department of FEARAB Chile (Federación de Entidades Chilenas Árabes), Unión Árabe de Chile, Iglesia Ortodoxa de Chile, Unión Musulmana de Chile, Cámara de Comercio Chileno Árabe, Arab Schools of Chile, Unión Nacional Árabe Juvenil de Chile, Movimiento Nacionalista Libanés, and FEARAB Chile.

¹⁹ In Spanish: Unión General de Estudiantes Palestinos, UGEP-Chile. To avoid confusion, the English abbreviation "GUPS" will be used throughout this chapter.

Also in 1984, the Federación Palestina de Chile (the Palestinian Federation of Chile) was created. As described by Schwabe, it “is by far the largest and most influential Palestinian organisation at the club (Club Palestino) and in the country” (Schwabe 2017, 47-48). According to its own website,²⁰ the Federación represents Chile’s Palestinian community in a very broad sense of the term, basing this authority on wide-reaching engagement with Chileans of Palestinians descent. Its board of directors is democratically elected, it is very active in social media and in the media in general—editing a digital bulletin twice per week—and hosts different types of activities with both cultural and political purposes. The Federación has its headquarters at the Palestinian Club and it represents the Palestinians in Chile both locally and internationally (to the PLO). It promotes respect for international law regarding the Palestinian people and links between the Palestinian community and Chilean institutions,²¹ mainly the government and the National Congress (Caramuru Teles 2017). However, it could be argued that this key role has been played by the Federación mainly since 2008, twenty-three years after its creation, along with the first election in its history and the subsequent election of a new board (Baeza 2010). The Federación Palestina and the Unión General de Estudiantes Palestinos (General Union of Palestinian Students, or GUPS) have been (politically) active in organising events and campaigns aimed at educating Chilean society about the situation of the Palestinian people (Beaume 2019).

Later on, the proclamation of the Palestinian state in November 1988 was celebrated in Chile with a large caravan of nearly 350 vehicles and 1,500 people. However, after four decades of exile, in the early 1990s Palestinian nationalism (namely, the PLO and subsequently the Palestinian National Authority, or PNA) morphed into a logic of political and institutional territorialisation in the occupied Palestinian territory (oPt, i.e., Gaza and the West Bank) with the beginning of the peace process²² that renounced historical Palestinian land (Baeza 2010). This whole process meant a break with the Palestinian communities outside the oPt (Aljamal and Amour 2020). Actually, the Palestinian organisations in Chile entered in a state of passivity that would only change with the rise of the Second Intifada in 2000. (Baeza 2010)²³

²⁰ See: <http://www.federacionpalestina.cl/> (accessed 27 May 2020).

²¹ According to information provided by the Ministry of Foreign Affairs of Chile, in April 2019 the Palestinian community requested a meeting with the Minister(s), in order to present the new *Federación Palestina* directive and address issues of interest to Palestine.

²² Chile was the first South American country to open a delegation in Ramallah, the administrative “capital of Palestine” in 1998.

²³ The *colectividad* organised demonstrations in Chilean’s concurred public areas. For example, on 6 April 2002, two to five million people gathered together with the slogan “For life and peace in Palestine” in front of La Moneda palace, to denounce the siege of Yasser Arafat at la Muqata, in Ramallah. Because of the features of the local community, that day they were able to summon political party representatives, unions, citizens, etc. This mobilisation was huge since, after the return to democracy twelve years earlier, Chilean society had been mostly demobilised.

Restructuring Palestinian institutions in Chile after the Second Intifada

Many Palestinian organisations and institutions, in different realms and with different purposes, have existed and continue to exist in Chile. Regarding the ones that play a critical role in the present—among others—one should mention: Catedral San Jorge and Iglesia Ortodoxa Santísima Virgen María; Arab School; Club Palestino (the Palestinian Social Club); Club Deportivo Palestino (the Palestinian Football Club); Comité de Damas Árabes (Committee of Arab Women); the University of Chile's Centro de Estudios Árabes Eugenio Chahuán (Center for Arabic Studies), “which remains the hub of Chilean scholarship on the Arab world” (Rosenberg-Carlson 2018, 8); the GUPS; the Palestinian Federation; and the Fundación Palestina Belén 2000 (Palestinian Foundation Bethlehem2000). Except for the latter, all the others were created before the 2000. This is why some of them—the most crucial ones for this chapter—were mentioned earlier. Moreover, some of them (those with political purposes) were dismantled following the Oslo Accords but would see the light of day again after the Second Intifada.

Fundación Palestina Belén 2000 was founded by entrepreneurs in 2001 as a charity that fundraises money to aid Palestinian children in the region of Bethlehem. Also, they publish the widely read magazine *Al Damir* (Beaume 2019). In the words of Macarena Sarras, “although it is a non-political foundation, the interaction and integration of its founding partners in the high Chilean spheres allows an important lobbying capacity in favour of the interests of the Palestinian community” (Sarras 2019, 27).

In parallel, GUPS would be reorganised by convoking students of Palestinian origin at universities, mainly those not previously engaged with Palestinian associations or institutions. They held their meeting at the San Jorge Cathedral in the Patronato neighbourhood and gathered 50 active members (Baeza 2010).²⁴ By then, GUPS leaders were close to the left, being—for example—linked to the Comité Democrático Palestino, an organisation founded in the 1980s that still edits the website Palestina Libre today.²⁵ Since then, several leaderships have managed to reinvent the GUPS as one of the most notable Palestinian-Chilean organisations, being only behind the Federación in visibility. As the anthropologist Siri Schwabe recalls, “the number of activities and events organised by the GUPS, both within the colectividad and beyond, is impressive. During my time in Santiago, the GUPS offered a range of events: film screenings and

²⁴ At the time of GUPS's reactivation, but in the heart of the Palestinian community, the Asociación de Jóvenes por Palestina (AJPP) was created. Just as UGEP, they were critical of the role of Palestinian leaders during the dictatorship. They printed the bulletin *Al Awda*.

²⁵ See: <https://palestinalibre.org/> (accessed 29 May 2020).

mini-conferences, public debates and protest marches, as well as informative art installations and other interventions” (Schwabe 2016, 94).

Furthermore, for Schwabe, “although migration to Chile began before the establishment of Israel in Palestine, the Palestinian community is strongly connected to the *Nakba*. The conflict that has been taking place ever since has had, and continues to have, a profound effect on social, cultural, and political life for the Palestinian descendants. It frames the struggle to which they, regardless of political affiliation, return to time and again” (Schwabe 2016, 56). Therefore, the ongoing Israeli-Palestinian conflict is intrinsic to them. Put differently, if it was not for the Palestinians, then the Palestinian cause would not be as important in Chile as it is, since there is a lack of commitment to international political issues among most Chileans (Ghawaly 2020). “Chilean-Palestinian elites have historically played a central role in shaping Chilean foreign policy towards Palestine. Advantageous opportunity structures resulting from successful adaptation have allowed diaspora elites to be influential at all levels of the Chilean state, utilising it as a vehicle for contesting the situation in Palestine. Mayors, deputies and senators of Palestinian origin consistently bring the Palestinian cause to the front of the agenda” (Beaume 2019, 7).²⁶

In addition, a new phenomenon would burst into the scene in the 2000s: the pro-Palestinian lobby²⁷ whose objective would be to influence Chile’s foreign policy regarding the Palestinian cause. In Chile, the Palestinian community works in coordination with the politicians of Palestinian descent, no matter where on the political spectrum they fall: when it comes to Palestine, they all cooperate (Baeza 2014). Baeza identifies this phenomenon as part of the professionalisation of the Palestinian cause, which also involves a more efficient way of managing internal procedures and communications. In sum, “political divisions and disagreements still exist within and among the diaspora organisations, but these do not hamper their work or their impact” (Baeza 2014, 68).

²⁶ Among other public activities, in the context of national elections, the Palestinian community frequently invites Chilean politicians, such as presidential candidates, to a dinner at the Palestinian Club. Also, during both local and national elections, they call on the Palestinian community to vote for candidates with Arab origins (Baeza 2010). In addition, the Federation has invited several famous personalities and experts to hold conferences, including the legendary singer Roger Waters, historians Ilan Pappé and Rashid Khalidi, priest Atallah Hanna, and renowned activist Frank Barat, among others. The invitees not only speak to the Palestinian community, but usually have full schedules of meetings in order to also speak to members of the Congress, governmental authorities, and university students, as well as to local and national media outlets. This strategy goes hand in hand with cultural activities, such as Palestinian film exhibitions, as a further instrument of informal education on the given cause. They have also achieved the open support of Palestinian rights from Chilean public figures not of Palestinian or Arab origin, like famous Chilean singers. In addition, in 2016 their lawyers used legal methods and Chile’s ratification of the Rome Statue, which allows Chile to rely on universal jurisdiction, to sue Israeli judges for allowing the construction of the wall in the Cremisan Valley in Beit Jala (Ghawaly 2020).

²⁷ As Aljamal and Amour (2020, 103) point out “the combination of left-wing governments in Latin America and the presence of Palestinian communities in these countries has contributed to gain support for the Palestinian cause.” Actually, in 2011–2013, Latin Americans witnessed a wave of recognition of Palestine as a state, following Palestinian diplomatic efforts at the UN in 2011. “The recognition of the Palestinian state by most Latin American countries would have been impossible without the community’s constant mobilization through diaspora associations” (Beaza 2014, 69).

The pro-Palestinian lobby, de-negations at the border, and BDS

The Chilean-Palestinian Inter-Parliamentary Committee

Among the inter-parliamentary groups working at the Chilean Parliament is the Chilean-Palestinian Inter-Parliamentary Committee, which is the largest working group in the parliament with deputies and senators from across the political spectrum (Sarras 2019). One of its first public actions took place in 2010, when they voted at the Chamber of Deputies to condemn illegal Jewish settlements in East Jerusalem and to reiterate the Chilean commitment to the peace process, requesting President Piñera to exclude products from the oPt in the free trade agreement to be signed between Mercosur and Israel (Baeza 2010).

Later on, when Israel bombed Gaza in July 2014, the Chilean-Palestinian Interparliamentary Committee met the Minister of Foreign Affairs, Heraldo Muñoz, to request concrete reactions from Chile to what Israel was doing in Palestinian territory. In 2018, the Parliament voted to denounce the imprisonment of Ahd Tamimi and other Palestinian children in Israel, part of a broader campaign for the liberation of Tamimi led by the Palestinian community.²⁸ That same year, in November, on the International Day of Solidarity with the Palestinian People, they voted with an overwhelming majority on a resolution demanding the government to forbid the entry of products manufactured and exported from Israeli colonies in the oPt.²⁹ In May 2019, a group of deputies sent a letter to the UN High Commissioner for Human Rights and former Chilean President, Michelle Bachelet, asking to publish the database of companies operating in Israeli settlements on Palestinian territory. This letter was an initiative of the Palestinian community of Chile and the president of the Chilean-Palestinian Inter-parliamentary Committee, and it was supported by parliamentarians from different benches (Sarras 2019). Moreover, members of the Interparliamentary Committee visited Palestine and also participated in meetings with non-Chilean parliamentarians taking a stand in solidarity with Palestine, including the Irish senator Frances Black, who visited Chile in September 2019 to share the Irish experience with the group in relation to a law that prohibits importing goods to Ireland from illegal settlements in the oPt (Ghawaly 2020).

²⁸ See: <https://www.aldamir.com/ahed-tamimi-el-rostro-de-los-mas-de-300-menores-palestinos-presos-en-carceles-israelies/> (accessed 29 May 2020).

²⁹ See: <https://bdsmovement.net/news/chilean-congress-votes-ban-products-illegal-israeli-settlements> (accessed 29 May 2020).

Refusals at the border

Baeza explains that internet, social networks, and the possibility of traveling to Palestine have boosted the reconnection between Chilean youth with Palestinian origin and their ancestors' homeland (Baeza 2014). Latin Americans of Palestinian descent have organised political and cultural conferences and events to strengthen relations between the various Palestinian communities in Latin America and Palestine (Aljamal and Amour 2020). An increasing number of young Palestinian descendants are visiting Palestine for many reasons, ranging from getting a closer look at the situation and visiting their—in most cases distant—families (Aljamal and Amour 2020). The biggest problem today is probably the difficulty of entering Palestine, as Israeli officials discriminate against visitors carrying Palestinian last names (Baeza 2014) and subject them to long interrogations. These long interrogations start at the moment the Israeli authorities notice an Arab surname on a Chilean passport, sometimes leading to deportation. Most of these deportations are based on border officers' discretion and therefore represent no further consequences for Israel. Palestinian organisations in Chile have condemned this long interrogation and systematic deportation (denegation at the border) of Chilean citizens with Palestinian origins. This phenomenon has, however, intensified since 2003 (Baeza 2010; Chahuan 2017; Leone 2018).³⁰

In 2017, a different kind of deportation was introduced. On 10 April, the chief executive officer (CEO) of the Palestinian Federation was deported back to Jordan at the Allenby Bridge when he was heading to Palestine to celebrate Easter holidays.³¹ What differentiates this case from the previous ones is that it took place soon after the approval of a new law passed by the Israeli parliament banning anyone who supports the BDS movement from entering the country. When the Chilean Ministry of Foreign Affairs³² asked for explanations about his deportation, Israel justified its decision by arguing that the CEO was engaged in BDS activities (Chahuan 2017; Gálvez Mesina 2017; Rosenberg-Carlson 2018). Thus, joining the call for BDS seems to represent a common risk for Palestinian descendants worldwide. Yet it has not deterred them from engaging with BDS. In the next section, the case of the local Palestinian diaspora in Chile and the BDS movement will be explored.

BDS within the Palestinian-Chilean community: History and evolution

Today, the most representative Palestinian-Chilean institutions and organisations are aligned with the BDS guidelines and principles, making efforts to work

³⁰ See: <https://www.palestinalibre.org/articulo.php?a=20542> (accessed 2 July 2020).

³¹ See: <https://bdsmovement.net/news/israel%E2%80%99s-barring-respected-activist-chile-desperate-attack-our-growing-human-rights-movement> (accessed 29 May 2020).

³² See: <https://minrel.gob.cl/ministry-of-foreign-affairs-press-release/minrel/2017-04-20/091726.html> (accessed 29 May 2020).

in coordination with the various organisations in Chile, but also with others in the Latin American region, as well as with the BNC (BDS National Committee) in Palestine. Compared to the rest of the world where BDS campaigns and activities are not necessarily carried out by Palestinian descendants, in Chile the BDS campaign (as everything related to Palestine) is led and coordinated by the Palestinian community. This means that there is a difference between Chile and countries such as Honduras and El Salvador, where there are also large and influential Palestinian communities yet no BDS activities (which may have to do with a broader phenomenon of political activity in each country)—but it also differentiates Chile from, for example, European countries, where BDS campaigns are conducted mainly by non-Palestinian leftist activists. From here, it could be claimed that the Chilean case is unique regarding its home-grown BDS movement.

To get to this point, several steps were taken in a gradual process of transformation, with 2015 seen as a benchmark year. Coincidentally, the same year the BNC designated for the first time a coordinator for the Latin American region, based in Brazil. Also in 2015, discussion regarding the academic boycott would start at the University of Chile's Law School—the same place where, 68 years earlier, mobilisation took place to prevent Chile from voting in favour of the UN resolution on the partition of Palestine, as mentioned earlier.

Compared to other countries in the region, academic boycott victories have been significant at Chilean universities. GUPS,³³ the Organización Solidaria con Palestina (Organization in Solidarity with Palestine, or OSP),³⁴ and regional organisations, such as la Juventud Chileno-Árabe por Palestina de Valdivia (the Chilean-Arab Youth for Palestine in Valdivia, or JUPAV)³⁵ have been working relentlessly behind these successes. Furthermore, the Palestinian community has achieved political victories in the Chilean parliament, as previously mentioned.

Notwithstanding that 2015 is considered a milestone in the BDS movement in Chile, becoming more visible to the Chilean society, in March 2009

³³ Further information about the Unión General de Estudiantes Palestinos (UGEP) can be found on their Facebook and Instagram pages. See: <https://www.facebook.com/UGEPChile/> (accessed 30 May 2020).

³⁴ The OSP was created in 2016 by the Pontificia Universidad Católica de Chile (PUC) students, to raise awareness of the Palestinian situation. The PUC is one of the two leading universities in Chile along with Universidad de Chile. In practical terms, the difference between them is the Universidad de Chile is a pluralistic institution due to its secular nature, while PUC is identified with the most conservative spectrum of the Chilean society. OSP can be only followed through their—very active—Instagram account.

³⁵ Located in the south of Chile, Valdivia is a city with two important characteristics. One of them is that it constitutes a living example of German immigration in Chile. The other is that it could be considered a university town since the Universidad Austral de Chile (UACH), one of the traditional universities, dominates the local landscape. In this context, third or fourth generation Palestinian students have been working on the Palestinian cause for nearly 20 years. Every year, they organise "La Semana Árabe" (The Arab Week) at the university (see Leone 2018). While writing this chapter, UACH declared itself an apartheid-free space. See: <https://www.federacionpalestina.cl/universidad-austral-se-declarara-como-libre-de-apartheid/>. To visit JUPAV's website, see: <https://www.facebook.com/juventudarabevaldivia/> (both accessed 30 May 2020).

the Palestinian community organised a public event at Plaza Italia, Santiago's central square, to announce its public endorsement of BDS principles. Back then, economic boycotts were especially widespread. The boycotts of academic and artistic institutions would be highlighted later on.

In 2011, a small group of Palestinian descendants—who in the past were active in some of the organisations previously mentioned—got together to start implementing the BDS campaign. This happened after the visit of the renowned Jewish activist Liliane Kaczerginski, founder of the International Jewish Anti-Zionist Network,³⁶ who encouraged the Chilean Palestinian community to adopt BDS as a new strategy to conduct their pro-Palestinian advocacy. This first group started a blog,³⁷ where they posted news and opinions regarding Palestine and the BDS campaign, mainly press releases from grassroots organisations based in Palestine (Chahuan 2017).

In 2012, more people joined the group. These activists organised *funas* (a local concept for “naming and shaming”), distributed informational leaflets about the BDS campaign in the central streets of Santiago, as well as on special events such as the Roger Waters concert venue,³⁸ and coordinated film exhibitions with the objective of bringing the attention and informing the local community about the Palestinian situation (Gálvez Mesina 2017). The boycott became a great tool to get people's attention and to begin an educational process regarding Palestine.

In the aftermath of the 2014 Gaza bombings, the Palestinian community presented the conclusions of the Russell Tribunal on Palestine³⁹ in different Chilean cities, inviting its general coordinator, Frank Barat, to visit in November of that year. Barat gave lectures both in public and private spaces, holding meetings with Chilean politicians, academics, students, unionists, the Mapuche people, and, of course, with the local Palestinian community. He encouraged people to endorse the BDS movement and raised awareness on the situation of the Palestinian people, namely war crimes being committed against them on a daily basis.⁴⁰ In 2015, the local Palestinian community adopted BDS as their strategy to work in an aligned and coordinated manner towards the liberation of the Palestinian people (Chahuan 2017).

As already mentioned, 2015 could be seen as the year in which the discussion regarding the academic boycott became visible in Chile. This began at the end of October, when the Israeli ambassador in Chile was invited to give a lecture titled “Israel in the UN” at the Law Faculty of Chile's most prestigious university: Universidad de Chile. Nearly one hundred students protested

³⁶ See: <http://www.ijan.org/> (accessed 30 May 2020).

³⁷ www.cboicotisrael.wordpress.com was their website, but it no longer exists.

³⁸ See: <https://radio.uchile.cl/2012/03/02/coordinadora-para-el-boicot-a-israel-en-chile-realiza-masiva-accion-informativa-en-concierto-de-roger-waters/> (accessed 30 May 2020).

³⁹ See: <http://www.russelltribunalonpalestine.com/en/index.html> (accessed 7 July 2020).

⁴⁰ See: <https://www.palestinalibre.org/articulo.php?a=53623> (accessed 30 May 2020).

against the lecture outside the venue where it was held. Policemen broke into the Law Faculty, allegedly to protect the ambassador. This situation sparked widespread student and academic interest in the subject at the faculty, triggering discussions on whether or not to support the academic campaign to boycott Israel conducted by the former dean, Davor Harasic.

The debate was centered on a free speech perspective: some people thought that the BDS campaign adhered to principles of free speech while some others did not. In April 2016, the students of the Law Faculty voted in favour of supporting the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI).⁴¹ In the subsequent months, other Chilean universities began to debate the subject, which remains an ongoing debate (Silhi-Chahin 2017).

In 2016, students from the Pontificia Universidad Católica de Chile also voted favourably to support the PACBI.⁴² Later on in 2017, they would be joined by the Faculty of Social Sciences at Universidad de Chile⁴³ and the Faculty of Medicine at the same University⁴⁴ (Gálvez Mesina 2017). Moreover, in 2017, students at Universidad de Chile and at Universidad Alberto Hurtado succeeded in the cancelation of university events co-sponsored by the Israeli embassy and featuring Joe Uziel, a director of the Israel Antiquities Authority.⁴⁵

Behind every achievement, there was the relentless work of Palestinian and pro-Palestinian students, which continued to construct networks with non-Palestinian social and political movements—a feature that distinguishes this period. Indeed, in this context, Palestinian student organisations would officially start welcoming non-Palestinian and non-student new members. As the former president of the GUPS, declared: “all the struggles are connected. They are not the same yet are connected. That’s why we have formed SESOPO at the University of Chile,⁴⁶ where we work together, Mapuche and Palestinians” (Ghawaly 2020, 33).

⁴¹ See: <https://www.telesurenglish.net/news/Law-Students-in-Chile-Back-BDS-Resolution-to-Boycott-Israel-20160506-0036.html> (accessed 30 May 2020).

⁴² At PUC, the motion voted by the students was very specific. It consisted of deciding whether ending or not the institutional links with the Hebrew University of Jerusalem and Technion. See: <https://bdsmovement.net/news/chilean-students-vote-support-bds> (accessed 30 May 2020).

⁴³ At FACSO, the question was as it follows: “Do you agree with the fact that University of Chile do not maintain institutional ties with the Israeli institutions that contribute to the human rights’ violations of the Palestinian people?” The results were overwhelming: 591 students voted “yes” (91.7%) while only 36 students voted “no” (1.7%). There were 11 nulled votes and 6 invalid votes Chahuan, “La Resistencia De Palestina Expresada En La Campaña Internacional De Boicot, Desinversión Y Sanciones a Israel,” 92. See: <https://bdsmovement.net/news/university-chile-social-sciences-students-overwhelmingly-vote-bds> (accessed 30 May 2020).

⁴⁴ See: <https://bdsmovement.net/news/medical-students-chile%E2%80%99s-largest-university-overwhelmingly-vote-bds> (accessed 30 May 2020).

⁴⁵ See: <https://bdsmovement.net/news/major-chilean-universities-heed-bds-call-cancel-events-sponsored-israeli-embassy> (accessed 30 May 2020).

⁴⁶ SESOPO is the acronym for *Secretaría de Solidaridad con los Pueblos Oprimidos* (“Secretariat of Solidarity with the Oppressed Peoples”), which takes part in the Universidad de Chile Student’s Union, FECH. See: <https://www.facebook.com/sesopo.fech/> (accessed 30 May 2020).

Additionally, in the context of the Israeli criminal repression of the Great March of Return in Gaza in 2018,⁴⁷ the municipality of the aforementioned city of Valdivia passed a resolution declaring itself an “apartheid-free municipality” in June. In the document adopted by the city council, they requested that the President review the different agreements Chile has signed with Israel and expel the Israeli ambassador to Chile from the country. Finally, the city council declared its intention to not purchase or hire any goods or services coming from enterprises involved in Israeli apartheid until Israel fulfil its international legal obligations.⁴⁸ In December 2018, the Contraloría General de la República (the Chilean National Comptroller) issued a judgement asserting that, in Chile, it is illegal to impose restrictions on public trading except through regular legislation.⁴⁹

Hand in hand with activism at universities aimed at creating space for the academic boycott, young Palestinians have also become ever more involved in feminist activism. This commitment fulfilled its major visible expression in December 2019 when, in the context of Chile’s social uprising beginning in October 2019,⁵⁰ a group of young women of Palestinian descent performed the iconic feminist flash mob “Un violador en tu camino”—which they themselves translated⁵¹ into Arabic—in front of the Israel Embassy in Santiago.⁵² The video was widely shared and criticism of the Israeli embassy came quickly,⁵³ causing a large impact. Earlier that year, GUPS had organised the talk “Mujeres en resistencia: de Palestina a Wallmapu”, where they presented both Mapuche and Palestinian struggles from women militants’ points of view.⁵⁴ Everything suggests that feminist Chilean Palestinians will not give up on this battlefield. For example, in April 2020, a talk on feminisms in the Arab world was included

⁴⁷ The UN Independent Commission of Inquiry on Protests in Gaza presented its findings in February 2019. Accordingly, the Commission has reasonable grounds to believe that, during the Great March of Return, Israeli soldiers committed violations of international human rights and humanitarian law. Some of those violations may constitute war crimes or crimes against humanity. See: <https://www.un.org/unispal/document/un-independent-commission-of-inquiry-on-protests-in-gaza-presents-its-findings-press-release/> (accessed 30 May 2020).

⁴⁸ See the full text of the Resolution at: <https://www.biobiochile.cl/noticias/nacional/region-de-los-rios/2018/06/20/valdivia-es-la-primer-a-ciudad-de-latinoamerica-en-declararse-libre-de-apartheid-israeli.shtml> (accessed 30 May 2020).

⁴⁹ See a further explanation: <https://www.diariocostitucional.cl/noticias/dictamenes/2018/12/07/cgr-de-termino-que-acuerdo-municipal-que-declara-a-valdivia-espacio-libre-de-apartheid-israeli-no-se-ajusta-a-derecho/> (accessed 30 May 2020).

⁵⁰ See, for example: <https://www.opendemocracy.net/en/democraciaabierta/el-octubre-chileno-el-neoliberalismo-nace-y-muere-en-chile-en/> (accessed 30 May 2020).

⁵¹ “A rapist in your way”, by Las Tesis. See: <https://www.youtube.com/watch?v=aB7r6hdo3W4> (accessed 30 May 2020).

⁵² See: <https://www.elmostrador.cl/dia/2019/12/06/en-idioma-arabe-jovenes-chileno-palestinas-repican-intervencion-feminista-de-lastesis/> (accessed 30 May 2020).

⁵³ See: <https://www.elmostrador.cl/dia/2019/12/07/embajada-de-israel-rechaza-intervencion-feminista-de-jovenes-chileno-palestinas-por-incitar-al-odio/> (accessed 30 May 2020).

⁵⁴ “Women in resistance: from Palestine to Wallmapu.” See: [https://www.facebook.com/events/823126474740351/?acontext=%7B%22ref%22%3A%22%22%22ref_newsfeed_story_type%22%3A%22regular%22%2C%22action_history%22%3A%22\[%7B%5C%22surface%5C%22%3A%5C%22newsfeed%5C%22%2C%5C%22mechanism%5C%22%3A%5C%22feed_story%5C%22%2C%5C%22extra_data%5C%22%3A\[%7D\]%22%7D](https://www.facebook.com/events/823126474740351/?acontext=%7B%22ref%22%3A%22%22%22ref_newsfeed_story_type%22%3A%22regular%22%2C%22action_history%22%3A%22[%7B%5C%22surface%5C%22%3A%5C%22newsfeed%5C%22%2C%5C%22mechanism%5C%22%3A%5C%22feed_story%5C%22%2C%5C%22extra_data%5C%22%3A[%7D]%22%7D) (accessed 30 May 2020).

in the local version of Israeli Apartheid Week,⁵⁵ a worldwide BDS event held at Chilean universities for several years now. Moreover, young Chilean Palestinians have expressed solidarity with the LGBTQI+ struggle for rights by, for example, adhering to and attending traditional pride demonstrations.

Conclusions

Chile is home to the largest Palestinian community outside the Middle East. Nowadays, it is mainly comprised of the third or fourth generation descendants of Christian Palestinians that emigrated to Chile from central Palestine between the late 19th and early 20th century, during the Ottoman rule over the region. Even though early Palestinian immigrants would be pejoratively called “Turks” and experienced social discrimination against them for several decades after their arrival, primarily by local elites, this would not prevent them from getting full citizenship. They would become engaged in commercial activities and, around the 1940s, a representative number of Palestinian families would emerge as part of an industrial national bourgeoisie. Around then, they started to send their children to university and, consequently, to make friends and get married to people coming from outside the Palestinian community. Also, they started to get involved in Chilean politics—regarding both situations, in Chile and in Palestine. However, at the same time, they kept their community links by creating and maintaining Palestinian spaces, institutions, and organisations. A good example of this is the appearance of the Arab press, the Palestinian Football Club, and the Palestinian Social Club in Chile.

Thus, in this period, the roots of the current Chilean-Palestinian community were established, which may explain their characterisation as a community that is well assimilated and integrated into their host country, taking part in the local politics (from the left- to the right-wing spectrum), and contributing to the Chilean society as professionals, academics, and—to a lesser degree—as intellectuals and artists. Yet, they have also individually and collectively preserved their Palestinian identity by having a political agenda with regard to the Palestinian cause. Despite their political differences in Chile, all of them cooperate when it comes to Palestine. As an influential group in the Chilean political arena, their actions cause repercussions and their voices are heard. They are represented in both mass and alternative media; they are well respected by the Chilean people; and, overall, being of Palestinian origin is a source of pride in Chile.

The period going from 1960s to 1980s was characterised by severe political tensions amongst the Palestinian community due to the critical events taking place in both Chile and Palestine. In Chile, the socialist candidate, Salvador

⁵⁵ See: https://www.instagram.com/p/B_c_oNMjvvs/ (accessed 30 May 2020).

Allende, won national elections to become the President of Chile in 1970. As part of his government, he nationalised industry, expropriating several factories, some of them owned by Palestinian families. An important part of the local Palestinian community took a stand against his government and, even further, they strongly supported the coup d'état in 1973 and the subsequent military dictatorship that lasted until 1990. However, other Palestinian descendants supported President Allende's government and were persecuted during the dictatorship; a few even took part in the struggle against the military regime.

In parallel to this tense political environment, thousands of kilometres away, the PLO was being created and growing. By getting connected to the leftist governments, political parties, and movements overseas, including the ones placed in the Latin American region, the PLO positioned the Palestinian people's national cause as the cause of the oppressed—against imperialism and capitalism. Making use of the armed struggle as an important part of their anti-colonial struggle, they supported revolutions and revolutionaries. Obviously, this was utterly rejected by an important part of the Palestinian community in Chile, probably its most visible face among the Chilean society. Therefore, many of them set some distance in relation to the PLO. This situation came to an end in 1982, following the Sabra and Chatila massacres. Thereafter, the Palestinian community in Chile built alliances with other Palestinians in the region, under the umbrella of the PLO, and established PLO-associated organisations in Chile, such as GUPS, which exists until today). This mobilisation would enter into a state of passivity with the beginning of the peace process in the late 1980s.

In 2000, due to the start of the Second Intifada and the failure of the peace process, the Palestinian community gave a fresh impetus to their support to the struggle. This has been maintained until today. A key element in this period, distinctive in Chile and born in a broader context of professionalisation of the Palestinian cause, is the pro-Palestinian lobby. Under the umbrella of the lobby, the Inter-Parliamentary Palestinian Committee—formed by parliamentarians from across the political spectrum and Palestinian descendants, among others— was created in 2010. Since then, the Inter-Parliamentary Committee boosts resolutions to put pressure on the Chilean government with the aim of influencing foreign policy in favour of the Palestinians. These resolutions are major symbolic political victories.

Furthermore, due to the significant role of the internet, from the 2000 onwards many young Palestinian-Chileans have reconnected with their Palestinian roots, in some cases leading them to visit Palestine. Nonetheless, at the border, Israeli officials may notice the Palestinian last names in their Chilean passports and, after long interrogation, send them back to wherever they came from. However, this has not prevented them from joining Palestinian

organisations in Chile. On the contrary, probably this has further encouraged them to do so.

Within this historical support of the Palestinian cause in Chile, the most recent phase has been significantly determined by the Palestinian community's commitment to the BDS movement. As a result of understanding the BDS campaign as a key political strategy after the failure of the Oslo Accords, the Palestinian community in Chile has endorsed the boycott. This has been translated into great achievements, especially within the academic field. Subsequently, the Palestinian cause is being connected to other social struggles in Chile and alliances are being built, mainly to the Mapuche people and feminists, which frames a new period in the context of Chilean Palestinian advocacy for Palestinian rights. However, until today, it is Palestinian descendants that are leading the cause in Chile from their community organisations—which is a distinctive point compared to other countries, where local activists (with no Palestinian origins) are the main supporters of the Palestinian cause. Lastly, the past and present of the Palestinian community in Chile goes together with the political events in both Palestine and Chile.

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Section Four

Cultural Resistances

Chapter Fourteen

The Parachute Paradox | Decolonizing the Imagination. A Memoir from Palestine

Steve Sabella

Excerpt from the award-winning memoir *The Parachute Paradox*, first published by Kerber Verlag in 2016, on self-liberation and the colonisation of the imagination¹. The memoir begins with a prologue and unfolds in a countdown from chapter 15 to chapter 0.

¹ *The Parachute Paradox* won the 2017 Eric Hoffer Award and the 2016 Nautilus Book Award, both for best memoirs. First published in 2016 in a hardcover limited and hand-numbered edition of 1250 + 150APs + 150 for media by Kerber Verlag, Germany. Bestseller rating. Second edition published in 2021.



Everland

2020 | A photo-collage of Palestinian embroidery. In the museum collection of the Arab World Institute in Paris.

Source: **Steve Sabella**, <https://stevesabella.space/pages/everland>

Prologue

When I got home, I raced against time to pack and get to Ben Gurion Airport in Tel Aviv. I was exhausted, and dreaded the usual three hours of questioning and interrogation by Israeli airport security.

Shalom, meh eyfo ata?
Hello, where are you from?

In a Hebrew accent, while gargling the R in Yerushalayim, I said,

Ani meh Yerushalayim.
I come from Jerusalem.

She continued,

Where exactly do you come from?

If I answered with “East Jerusalem”, it would be assumed I was an Arab. And if I answered with “West Jerusalem”, they would suspect I was Jewish. I replied,

Antonia Street,
The Old City.

She checked my passport, but my place of origin was still not clear to her. She asked me for my father’s name,

Emile.
Your mother’s?
Espérance.
Your grandfather’s?
Antone.
What is the origin of the name Sabella?
Sicilian.
Do you celebrate Hanukkah?
Why not.
Do you celebrate Christmas?
Sure.

She was hesitant to ask if I was an Arab or Palestinian Arab. To speed things up, I told her I came from Jerusalem. The Arab one. All I wanted was to board the plane and close my eyes.

What is your occupation?
Artist.
I also work as a photographer for the UN.

I showed her my press card.

| *Where were you before you arrived at the airport?*

I couldn't tell her I had just been kidnapped in Gaza. She would consider it a security threat and definitely not allow me to board the plane.

| In Jerusalem.

| *And why are you going to Switzerland?*

| To have a holiday with my wife and daughter.

| My wife is Swiss.

| *Why are you traveling alone?*

| *Why do you work for the UN?*

| *Have you travelled to Gaza with the UN?*

| *Why do you live in Jerusalem?*

| *Why don't you live in Switzerland?*

| *When did your family settle in Jerusalem?*

| *Why is your name Steve?*

The questions were endless, and the first security guard was replaced by a second, and the second by a third, until the chief of security was called. I kept repeating the same narrative. Again and again. I had to be consistent and not make any mistakes.

Listen to me. This is my story. No matter how long you interrogate me, it will not change. Either you let me go home to Jerusalem, or you let me board the flight to Switzerland. Let's get this over with.

They gave in, allowed me to board after a conspicuous bag check and a full body search, escorted me to the plane like a VIP, and finally left me. I found my seat, sat down, and leaned back to close my eyes for the first time in two days. But every time I heard the click of a seatbelt, I woke up startled—it sounded like the cocking of the kidnappers' guns.

I opened my restless eyes and spotted a man watching me. He was black, and I imagined for a moment that he was the man the kidnappers released that morning. When he noticed that I spotted him, he unbuckled his seatbelt, walked over, and sat down on the aisle seat next to me. He spread open a newspaper and pointed to a photograph,

| *Is this you?*

It showed a woman and me with guns and masks all around us. The bold title read, "UN Workers Freed in Gaza". I fell into my seat and said,

| Sometimes, the answer is right there in front of you!

Up in the air, I travelled to the time I went skydiving in Haifa. On the tarmac, the plane looked like it hadn't flown since the 1967 War. After take-off, the engine roared as if it could fail any second, wildly shaking as it reached the sky. When the time had come, I unbuckled my seatbelt and leaned out of the

open door against the rushing wind. With little thought, I did it. I let go. I was flying in the air. I felt light, less burdened by what was happening below. I felt identity-less, free from all the labels and classifications, free from racism and discrimination. Free from the Israeli Occupation I was born into.

But I didn't open the parachute. I was in a tandem jump, attached to an Israeli. Over the years, I have come to see this situation in the air as a metaphor for what it means to be a Palestinian born under Israeli Occupation. Life under Occupation is like the reality of a Palestinian attached to an Israeli in a tandem jump. There is an Israeli on the back of every Palestinian, controlling all aspects of life—the Israeli is always in control. This impossible reality places the Palestinian under constant threat, in a never-ending hostage situation.

On the ground, I struggled with paralyzing depression that sank to new lows year after year. But I knew my journey would have to be one of self-interrogation and liberation. With the speed of the fall, I felt Francesca's presence. Over the years, we had built our own world, rooted only in our imagination.

Chapter 0

This is not the end of the story but the beginning of the story. There is an Other in all of us. Each Other. The time has come to stop drawing borders and start drawing our future. And the future is now. We are a speck of nothing in the equation of the universe. Yet, from nothing, everything is possible. The state of darkness is the state of all creation. We can all rise from ground zero, and zero is a great place to start, hit the reset button, and begin a new chapter.

| Writing is a way to go home. Painting is being at home.

Those were Kamal Boullata's words. Through the power of drawing reality, I found my home. Only beauty emerged when one delved into Kamal's world to listen to razor-sharp words, words that always came out from the heart. Kamal had a distinctive voice, the tone of a Master narrator. You seldom wished to hear the end of his stories. He was true to himself, and one word that echoes in me which he always said with energy,

| Forward.

And the only way forward in our journey of liberation is forward. Kamal passed away not long ago in Berlin, where he had lived his last eight years, and against all the odds, he was laid to rest on a Jerusalem hill looking over the Mount of Olives, near my father's grave. I was fortunate to see Kamal two weeks before he departed. After the night I visited him with Michos, who was in Berlin by chance, I flew to Jerusalem, our city of birth. He looked young,

energized, inspired, speaking about ongoing projects. His words were vivid, transporting us into many worlds. Since we first met, Kamal shared his knowledge without conditions. Kamal was an outstanding scholar who added to the layers of history new threads that weave the past effortlessly to the future. He based his theory on observation enriched in being in the moment. And there, he never wished to be in the center, choosing to wander over the peripheries of life. But life found more than one way to push him naturally to the center.

One cannot speak to Kamal without details. During a visit to his house, I heard him suddenly get loud, laughing on the phone with the poet Adonis. I thought a star fell down from the sky. The matter was that they spotted one missing comma in a poetry book they were co-editing. This was a great lesson to pay attention to the delicate and vibrant fabric of life.

Kamal was an expert on the literature of the soul, on the language of life. Every conversation with him was about essence, about true being. As for his art, his visuals are mirrors of pure light, transparent like the soul. Kaleidoscopic. Always changing. They capture your vision upon first glance, and the deeper one looks, the closer one reaches a central point, one that resides in the self. And once there, it becomes inevitable to see Kamal's clairvoyant colors float in an endless rhythmic dance.

Kamal inspired many in his life, and I feel his journey has just begun. His departure is not a loss but a reward to all humanity. They forced him to leave Palestine, but Palestine never left him. And Jerusalem was always at the center of Kamal's heart. Seeing how he lived his life, he was one of my beliefs that to be born in Jerusalem, or anywhere else, means one is always becoming a citizen of planet Earth.

Just before the Coronavirus engulfed our reality, I was one out of forty people from all over the world chosen to be part of a co-action creative group to counter extremism through arts and culture. Our first encounter was in Venice on that weekend when it drowned, was in a state of emergency. And that's how we all felt about the state of the world, weeks before the virus invasion. On wide whiteboards, we started drawing a new image of the world as we imagined it. Our second encounter was in Brussels, and our mission was to transform this imagination into reality before we headed to Washington, D.C., to decide on the action. None of us argued, agreed, or disputed. All of our conversations started with an and, where everyone contributed, adding to the bigger picture, which we all solve together. The I was silenced, replaced by what we can do to create a world based on global awareness.

The shared stories, visions, and honest words transformed many of us. I had one hour to spare before my trip to the clouds, finding myself strolling aimlessly around the streets of Brussels. But the universe has no wrong answers. The sun was shining in the blue sky, warming the cold street corridors. I looked

at the sun with my eyes closed, accepting its rays and whatever they carried with them. And then I felt a new state of freedom, that as long as there is one person left who imagines a better world, life has a chance. And there is more than one person. There are many, all waiting for their ideas and dreams to be weaved together by cosmic light. The seeds are all out there looking for the right ground to flourish. And they can with the blink of an eye. Until then, the ground we are all looking for is wherever we are, and the seeds are right there nested in us.

I was in a state of bliss. And the moment my canvas found me in the light-room, I transformed that state of bliss into Everland inspired by when we were divided into groups during one morning session and asked to invent an imaginary home on an island, to draw it together, and then give it a name. One idea led to the other, from Noland, to the inverse of Neverland.

Everland is the land of Palestine, with roots stretching everywhere. And like never before, Palestine has fallen off the map of the world—side-lined, lost its centre. Everland is a photo collage of Palestinian embroidery, a tradition passed from generation to generation by women who sew patterns and motifs to reveal their heritage, ancestry, and place of origin. Palestinian embroidery is proof of presence that no power can uproot from the people's imagination, a celebration of collective identity and narrative that gets renewed, awakened every time we see or touch its beauty. But given Palestine's history, the beauty pierces the heart. I remember my mother and sisters engaging with it when I was a child living in Jerusalem's Old City. The process was one of meditation where one spends endless hours traveling from one tiny square to another, feeling invited to explore the self and its truths. Given the richness of colours and shapes, one inevitably enters a state of trance.

Everland is not stitched with cotton, wool, or silk, but with digital threads weaved on a new fabric of life, on the fabric of light. And if the light falling on the earth is always new, how can we stay the same? We are creatures of light. And the light shines in all the colours of the world, creating the threads of our life. And it is up to us how we weave them together. Every time Everland is displayed, its nine squares will be put in a different constellation, including their orientation to any side. This way, Everland will always have endless possibilities, creating a new visual, forever changing.

Everland celebrates all the beauty that comes out of Palestine, a place where everything gets disrupted. Yet, the collage enables the cross stitches to penetrate deep into new borders, creating unique designs, connections that look as if they represent every other culture to reveal the spirit of the world. We are all from everywhere and nowhere. Poetically, we are all from elsewhere. And that nowhere is the everland we are all searching for. Getting there is an extraordinary journey of endless discovery.

Kamal described my work for the foreword of my monograph as a dream. But Kamal's last words were a dream within a dream. I dedicate Everland to the spirit of Kamal Boullata, who left us with two books, treasures, whose titles alone reveal the greatest symphony of life:

| There Where You Are Not
| &
| Uninterrupted Fugue

We are all interconnected by visible threads of life, part of a much larger picture, which we all contribute to together. And if we are to remain in the cosmic picture, we must inject into ourselves the image of a better world, and this time not keeping the vision still in its dream. We are in the era of essence, imagination, and hard work, like never before.

Imagine, is the strongest word I know. It has the power to change all realities, creating infinite possibilities. We live in an era where the power of the free mind and imagination is controlled and contaminated, also like never before. Possibilities and infinity are interconnected. There are infinite possibilities. And imagination, like infinity, cannot be measured, which gives the imagination limitless power. And the same power is in all of us.

And as you read my endings lines now, I recall Brother Robert Wise, my first mentor who taught me about the essence of life when I wanted to suck all the air out in the horrid mouse experiment so that I feel life first. Wise taught me about computer models, how to code, create software from scratch. Now, I code resorting to the mechanics of light that has embedded in it all the secrets of life. Through the lens of art, through the lens that leads to the dark chamber in my camera, I was able to design new realities, and in the process, I designed a new self that updates every day. My relationship with the image is like being on a space odyssey, in search of understanding image formation. And since an image is part of the imagination, unlocking the code allowed me to see beyond my reality.

Wise saw how I looked at problems from multiple angles. I always thought there is a solution at the other end of every problem. Focusing on the problem only magnifies it, while looking at the solution opens windows of possibilities.

We should hit the reset button, reorder our program, reset its data memory to allow for a rebirth to happen so that life always feels like a new beginning, a new order. The world we put together will never be perfect, but in life, we should all do what we can to make the world a better place, nothing less, nothing more. A great way forward is not to fight what's there but to create what's not there.

In the world of art, there is no reality, only imagination. As long as there is one Palestinian left who imagines a free Palestine, the Occupation has no

chance. The time has come for the language of life. My awareness of life intensified when I learned the be in Berlin—to just be, and let be. I learned to process life without filters. To look at reality and see it as it is and then go deeper and beyond. We can only do this when we focus, eliminate all clutter, noise, and distortion in our endless journey inwards, towards the soul. And because the soul does not like to be lied to, I quickly learned to be honest with myself and focus on things that matter.

Palestinians will continue to resist till the end, till the last Palestinian. The fighting has shifted from one of liberating the land to one of liberating the self and the colonised imagination. Freedom is a universal truth. We are all born free. No freedom council like the UN, or governing bodies like the EU, or governments like that of the United States, and definitely not of Israel, get to decide who is free or not. Palestinians should stop waiting for arbitrarily set dates to obtain their individual independence. Independence day is today, and everyone should declare it.

Israel was established to create a Jewish nation so that the Jewish people could have a state of their own and control their own destinies. Palestinians will not accept anything less than the same. Would you live under any sort of Occupation?

Many Palestinians feel that Israel has the right to kill them, that the international community has failed to force Israel to comply with international law. Instead of facing the consequences for its crimes against humanity, Israel benefits from protection. Israel has isolated itself, creating fake peace and spreading the propaganda that Palestinians do not want peace. But there has not been any real intention to ever end The Occupation. Israel's governments expanded it strategically so that it would never end.

Ilan Pappé, an Israeli historian and social activist, stated in an interview,

The endgame is still implementing the initial Zionist program of having as much of Palestine as possible with as few Palestinians in it as possible. It may sound like a tactic, but in Israel, this is a strategy if not an ideology—namely part of life in a daily routine of continuing to oppress the Palestinians... This is a source of income for many, many people in this country. Ultimately, it is not a state that has an army and a police force; it is an army and police force that have a state.

The last Israeli attack on Gaza has to be put in a longer historical context. It is just another point in a long history that probably stretches back to the very beginning of the Zionist project in Palestine in the late 19th century. Zionism in essence, is a settler colonialist project, very much in the same mould as such projects in Africa, Australia and the Americas, the only difference being it has not as yet completed its ambitions.

Around six million Palestinians live in the diaspora today, another six million live within Israel's borders, and almost four and a half million of them live without the right to vote, without a voice. In polls asking the Israeli public if

they preferred a democratic or a Jewish state, the majority chose the latter. Israelis do not want a bi-national state with equal rights for all its citizens, but they also reject the establishment of an independent Palestinian state. Therefore, they choose The Occupation.

The Jewish people know better than anyone else what it means to be persecuted and targeted because of their beliefs, the way one looks or thinks, or even just is. Israelis do want peace, but they want it while expanding settlements and controlling Palestinian life in the name of their own security. Real peace comes when we see the other with respect, as an equal.

History has proven that peace on colonised land starts when the coloniser publicly acknowledges what it has done. The first step in finding peace between Israelis and Palestinians is for the Israeli government to give an apology from the heart to all the Palestinian people.

Israel should apologize for every tree they cut down, every village they erased. For expelling natives from their lands. For settling in Palestinian homes, for stealing their property. Israel should apologize for the millions of stranded refugees and for not allowing the vast majority ever to set foot on their land again. Israel should apologize for trying to erase Palestinian culture, for fragmenting Palestinian society, for injecting fear into Palestinians and Israelis. For fabricating history. Israel should apologize for twisting international law, for subjugating millions to live in open-air prisons, for using Gaza as a battlefield and a testing ground for modern weaponry. For degrading Palestinian life. Israel should apologize to all the people, including the children it has killed. For murdering their dreams.

When Cécile and I talk, we often start with,

| Imagine . . .

For many years, The Occupation held my life hostage, but in my dreams, I was always free. Once I learned how to change my own consciousness, my imagination became my reality to live reality as a dream.

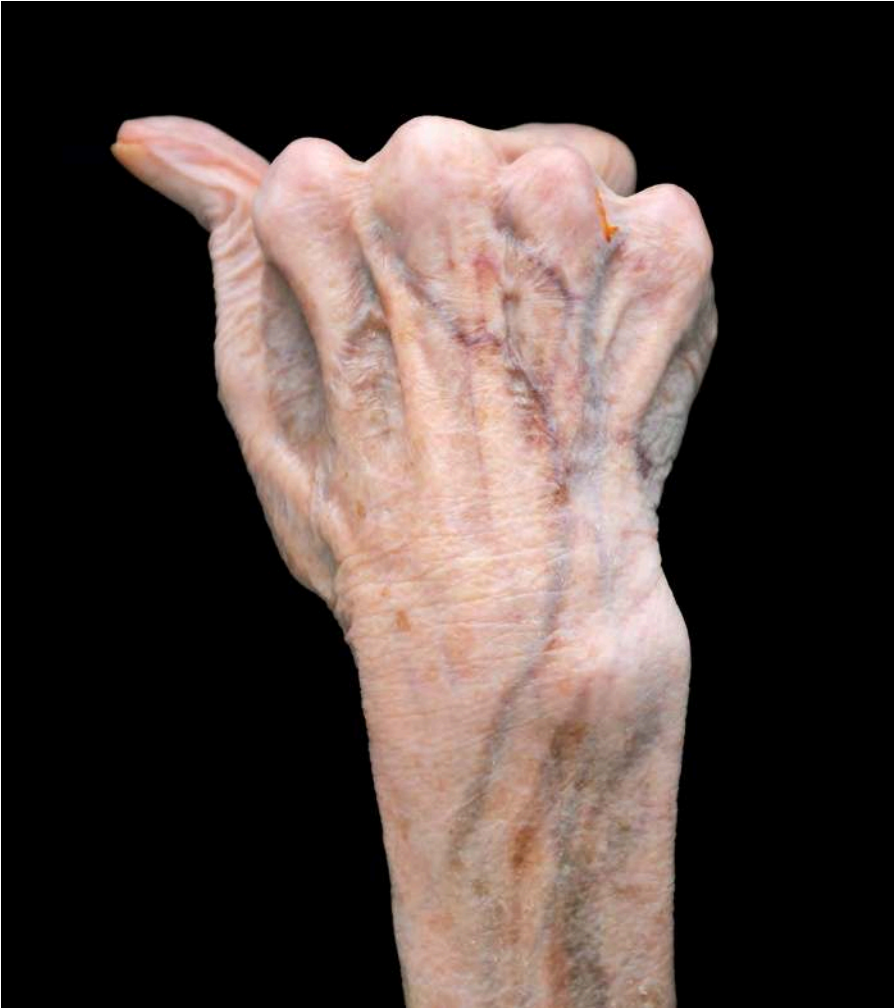
As for liberating the land of Palestine, I leave it to our collective **imagination**.

Chapter Fifteen

The Catastrophe: Al-Nakba in Palestinian Fiction

Wasim Dahmash

This chapter investigates expressions of the Nakba in Palestinian narrative. In particular, it focuses on the works of Samira Azzam and Ghassan Kanafani, who are considered to be the founders of the new short story in contemporary Arabic literature. Both authors experienced the trauma of ethnic cleansing in Palestine, and their work is steeped in reflections on the Nakba. With nods to other authors all the way through, the chapter shows how the Nakba is perceived in Palestinian literature as a structure and not as an isolated event.



Exit

2006 | Exhibited as photographic prints and as video art, Lambda print on diasac, 70 x 62 cm.

Source: **Steve Sabella**, <https://stevesabella.space/pages/exit>

In this chapter, I investigate expressions of the Nakba in Palestinian narrative work. Specifically, I will focus on the work of Samira Azzam and Ghassan Kanafani, who are considered the founders of a genre in contemporary Arabic literature. Their work exemplifies the new short story. Both authors experienced the trauma of ethnic cleansing in Palestine, and their stories are imbued with reflections of the Nakba.

The term Nakba, translated as ‘disaster’ or ‘catastrophe,’ was first coined in 1948 by the Syrian historian Constantine Zureik (1948), and has since been adopted in historiography in many languages. As a concept, the meaning of al-Nakba has been condensed into the series of events that include the creation of the State of Israel in Palestine, the expulsion of most Palestinians, the loss of homes and property, the diaspora and declining conditions of refugees who are denied all rights, including the right of return. In this respect, Elias Sanbar (2005, 169-172) describes the Nakba as a process that represents the “sinking” of Palestinian society. While its symbolic date is 1948, the Nakba has been and is being perpetuated through significant episodes, including wars and events still in progress.

The significance of the Nakba to the Arab World and Palestinians, however, goes beyond A. Hilâl Dessouki’s definition of it as “the total confrontation [...] between Zionism and Arab countries in general, particularly the Palestinian people” (Dessouki 1973, 187). The Nakba has been encompassed into every aspect of social life in the Arab world, so that “it embraces economic, social, political, national, military and technological spheres of life” (Dessouki 1973, 187). Importantly, the Nakba permeates Arabic literary production; its literary theme is the dominant and characteristic feature among Palestinian authors (Said 2002; Amin 1998). In fact, it represents an evolution in contemporary Palestinian literature, what Palestinian literary historian Abdurrahman Yaghi (1968) describes as *adab Al-Nakba*, the ‘literature of catastrophe’ (see also Peled 1982).

The emergence of *adab Al-Nakba* according to Israeli scholar Mattiyahu Peled represents a period “marked by anxious expectations of the outcome of the Second World War, the bitter war that ensued and the subsequent disaster al-nakba of 1948” (1982, 147). Nevertheless, the Nakba not only represents a moment in 1948 *per se*. It also refers to the historical and political processes that lead to the continuous geographical modification of Palestine and primarily to the displacement of the human community that has shaped the Palestinian cultural landscape over centuries. Therefore, it is inevitable that the Nakba is suffused in diverse artistic languages, figurative arts, photography, cinematography, and writing, including journalistic, historiographic, and literary writing. In fact, it is the context of catastrophe that germinates forms and styles to tell

it, an antidote to the loss of memory, or “memoricide”—a neologism introduced during the days of the Yugoslavian civil war and later adopted by Ilan Pappé (2006a, 179; 2006b, 269-279).

In the Nakba narrative, the catastrophe has a starting point, a lived experience that recurs as a beginning. Thus, for Palestinians, the stories, memories, and fragments of memory always return to that first moment evoked by the poet and writer Muhammad al-Qaysi:

In a few years time, with a certain maturity, you will come back to this moment and you will cry. Everything will originate from this moment; from it, and returned to it, your song will be born. (al-Qaysi 1997, 16)

The expulsion in 1948 marks the beginning of an endless exile that assumes later-repeated contours, uniting the exiles and integrating their stories. Al-Qaysi was four years old when he travelled the road of exile with his mother:

How to describe the road to Lydda and the human terror imprinted on all those known faces, just like the face of my mother, faces pursued, persecuted, which formed a painful succession of defeats apparently destined never to end! (al-Qaysi 1997, 17)

For every Palestinian, there is always some “road to Lydda” experience; among Palestinian contemporary narrative writers, context tends to be found in that historical moment. A salient feature of today’s writing is recounting the catastrophe or some fragment of it—an imperative indicating the burden of pain and the sense of injustice suffered, immanent, obsessively present, the memory of something that instead ‘is’ concrete. In memorials, the road to exile often represents the starting point of the Nakba and tends to occupy the narrative centre. At other times, the beginning is marked by invading soldiers. Salman Abu Sitta recalls:

Women and children ran in a northerly direction. Mothers tried to locate their children in the darkness. They tried hurriedly to pick up things their children needed: milk, blankets, and the like. In the background, the threatening lights, the hail of bullets tracing arcs in the sky, the hurried confusion, the agonizing cries, and the shouts for a missing child heightened our fear of impending death.

My mother led my sister and me in the darkness. “Where are you?”

“I am here,” I cried back.

“Where? Where?” she pleaded.

All the women and children knew where to go. They all headed toward Wadi Farha, a deep ravine and a dry riverbed in the summer. In the winter, its bed carried rainwater that filled the wells. I knew this wadi well; it had steep sides that were several times my height. It was a place where I often hid and went on wild adventures, with galloping horses, monsters, and demons. But that night—or dawn— was different. It wasn’t a flight of childhood fantasy: the deafening noise of Zionist bombs, the crying children, and frightened mothers were the elements of a real nightmare. Women dirty their faces to discourage rape. (Abu Sitta 2016, 69)

In his *Book of the Son*, al-Qaysi recalls the child who ran away along the road to Lydda; little Salman Abu Sitta, on the way to Khan Younis, turns to take a last look at his house:

I looked back at the smoldering ruins, at the meadows of my childhood, golden with the still-unharvested wheat. I was engulfed by a feeling of both anxiety and serenity: serenity because we were still alive and an anxiety that was never to leave me. (Abu Sitta 2016, 71-72)

Qaysi travels the road on foot clinging to his mother's robe, Abu Sitta is behind his older brother riding a horse, while Ghassan Kanafani is piled onto a truck with parents, siblings, and many others. Similarly, Kanafani recalls that moment in his story, *The Land of Sad Oranges*:

The weather was a little overcast, and my body was beset by a feeling of cold. [...] Riyadh was sitting quietly, with his legs on top of the edge of the iron luggage rack, his back leaning on the luggage, staring at the sky. [...] I was sitting in silence with my chin between my knees, which I encircled in my arms [...]. The orange groves followed one another along the road [...] a feeling of fear took hold of us all, while the truck climbed heaving on the damp earth [...] distant gunshots echoed like farewell greetings... (Kanafani 1999, 364)

The truck carrying the fugitives stops near an orange seller. The women get off and buy some: "they took the oranges and their tears reached us. I understood then that those large and clean oranges were a dear thing to us" (Kanafani 1999, 364). Even the oranges, like refugees, dry up: "far from the land of the oranges, the oranges that – tells us a farmer who cultivated them, had gone away too – dry out if the hand that waters them changes" (Kanafani 1999, 375). But even God becomes a stranger: "I had no more doubts that the God, that we knew in Palestine, had gone away too, had become a refugee, who knows where" (Kanafani 1999, 368).

In the Nakba narrative, the 'beginning' of the catastrophe coincides with the expulsion of the indigenous population starting in 1948, the culminating moment of a violent ethnic cleansing conducted independently of the war; as historians have shown, expulsion is only one aspect that forms the framework of Al-Nakba¹. Expulsion was not an effect of the war, but the cause for the 'miracle' which the Israelis had obtained in conquest—as Haim Weizmann, the

¹ In the introduction to *The Ethnic Cleansing of Palestine*, Pappé himself distinguishes the concept of Nakba from that of "ethnic cleansing" in historiographic terms. According to Pappé "...the Palestinians speak of a 'catastrophe' that struck them, *Nakba*, a somewhat elusive term since it refers to the disaster itself and to who or what caused it" (2006b, 10). Expressions such as 'cleansing,' 'clean up,' etc., were used in the Zionist language at the time. In August 1948, the Givati Brigade carried out *Mivtza Nikayon* (Operation Cleaning); the task of emptying the Arab villages between Tiberias and Eastern Galilee was entrusted to *Mivtza Matateh* (Operation Broom). It may be interesting to note how the testimonies of the protagonists rendered in film language in the section entitled "North" of the film *Route 181* (by Michel Khleifi and Eyal Sivan, 2004) coincide with historiographical accounts. See also the interview with Israeli historian B. Morris: "[...] It was necessary to clean up the villages from which our convoys and our settlements were attacked." - "The term 'clean up' is terrible. I know it doesn't sound good, but it's the term they used at the time. I adopted it because it was in all the documents of 1948 in which I am immersed" (*Haaretz*, 9.1.2004).

first president of the Jewish state, said “a miraculous simplification of Israel’s tasks” (Mac Donald 1951, 176).

But if the Nakba has a chronological starting point, then it cannot be identified merely through events, but rather through the elaboration and implementation of the ideas that unleashed these events, an ideological impulse of colonial thrust: the purification of the or ‘holy’ or ‘promised’ land, freed of the indigenous population in order to endow biblical stories with historical significance. Edward Said’s analysis shows that this is a constantly recurring idea in nineteenth-century European literature, ranging from the return of the ideology of the Crusades to the exoticism of European intellectuals—citing, for example, Orient travel stories by Flaubert and Lamartine. In *Voyage en Orient*, Lamartine desires the fall of the Ottoman Empire and the occupation of its territories to establish “free colonies.” Said’s analysis elaborations of the concept of an “orientalized” East and of *Homo orientalis*, to Chateaubriand who hopes for new Crusades to ‘free’ Palestine from a usurping religion which has been installed there. In his *Itinéraire* he calls for a resumption of the crusades to “liberate” the Holy Sepulcher, to fight “a cult enemy of civilization, systematically favourable to ignorance, despotism and slavery” – “naturally Islam,” highlights Edward Said- and calls for France to go to war against Turkey and Egypt, to teach the “Orientals” the meaning of “freedom” (Said 1978, 172).

It is within the scope of literature that the idea of a ‘holy’ land, a ‘chosen’ land, and eventually a ‘target’ land (contaminated by Islamic presence and awaiting to be redeemed) is first elaborated. The literature posited an ‘uncharted’ land waiting to be discovered that would provide the Bible with the scientific documentation necessary to prove its historical truth. Assigning the value of objectivity to the Bible entails denying the cultural and historical deposit accumulated and developed over millennia of Palestinian civilization (Sanbar 2005, 65; Scarcia 1987, 163)—including what is concretely found there, namely its population, which then becomes “an element of disturbance” as B. Scarcia (1987) stated. This idea that found its effective political translation through British Army Officer Charles Warren, one of the leaders of the Palestine Exploration Fund, who in 1880 discussed the idea of placing Palestine under the control of commercial interests similar to the East India Company and asked: “The question of the fate of the Palestinian Arabs could certainly arise. But I will answer with another question: But who are the Arabs?” (Sanbar 2005, 81). The degree of malevolence implied by this question, posed towards the end of the nineteenth century, does not diminish throughout the following century—to the extent that historians are unanimous in affirming that, even before this reflection, the Nakba was prepared, studied, and programmed.²

² Numerous studies exist on the programming and preparations for ethnic cleansing of 1947-49. It is enough to remember the “new historians” of Israel: Benny Morris, Ilan Pappé, Avi Shlaim, Tom Segev, etc. The bibliography of Palestinian and Arab authors on expulsion and its modalities is vast. I cite the only example of the monumental work of Aref al-Aref, *Al-Nakba: Nakbat Bayt al-Maqdis wa-l-firdaws al-mafqūd 1947-1949*, Saida-Beirut, 1956-1961.

But the Nakba was soon recounted by those writers who lived it, like Samira Azzam. It could be said—along with Luce d'Eramo—that in reading her stories “we find ourselves watching the world through Palestinian eyes; you are plunged into the drama of people driven from their land” (D'Eramo 2002, 9). During her lifetime, Azzam had experienced the passage of Palestinian history from a ‘normal’ life in a legendary world before 1948, the year of the Nakba, to that of a refugee after 1948—segmented by wars and violence, without a homeland or identity, and its unending consequences, and which inevitably becomes the dominant motif of Palestinian writing. Kathyanne Piselli highlights this aspect:

Everything she talked about had to do with the tragedy of Palestine [...] The loss of her people and home, as well as her broken heart, was exposed for everyone to see. (Piselli 1988, 94)

and stresses that it is not just a complaint:

Stories written by those who had left their homeland in 1948 were moving gradually away from alienation and pain toward anger and resistance. Azzam's own writing is an excellent illustration of this progression, even though her untimely death prevented its culmination. (Piselli 1988, 95-6)³

Azzam's stories travel not through chronological time, but relate to stories according to the allegorical value of inquiry or passage, liberation or hope, the elaboration of absence or experience of waiting.

In the short story *Fi t-tariq ilà Birak Sulaymàn* (“On the Road to Solomon Pools”), the protagonist Hasan, a primary school teacher, escapes with his wife after having attempted to defend his home, while his son sleeps in his arms.

He lifted his left arm which was becoming stiff to calm her, when he felt something hot washing it [...] So he was afraid to stop to check where the blood was coming from lest he raise her doubts.

He held the boy's body closer and started to walk so quickly that his wife could not keep up (...).

He turned right and then down a side street. He stopped and lifted the blanket and turned the small body that was bleeding profusely. He collapsed under the weight of pain, anger and bitterness.

He put the child on the ground. The moon had waned and become red as though it were the sun rising in the west. The sky was filled with magical dawn colors and he caught sight of the square roofs of the houses at Solomon Pools (...). He looked around him and then made his way towards the almond groves. He spent a long time trying to find a generous tree. He laid the child beneath it. Then he pulled at one of the branches and broke it off. He started to poke the ground with it in circular motions until he had made

³ K. Piselli cites issue1 (January 1968) of the Lebanese magazine *Al-Āddāb* which dedicates ample space to the memory of Samira Azzam with contributions from Buland al-Haydari, Shafiq al-Hūt, Ulfat al-Idilbi, Rajā' al-Naqqāsh, and others. In Piselli's text, the first quotation provided above is attributed to Ulfat Idilbi; however, my own verification of the Idilbi article turned up no similar sentence results. Piselli also made a mistake in the issue number of the monthly magazine; it is 1 and not 16.

a little grave. When he had covered him with earth handful by handful, he stood up and shook the tree and it provided the grave with a cover of tiny white stars.
He recited no prayer. Hate had struck him dumb. (Azzam 2018, 21-22)

As in all Azzam's Palestine stories, nature is a constant. Hasan buries his son under a "generous" almond tree and shakes it to lay flowers on the grave. The spring season is the backdrop to the whole story, but Palestinian nature is always shaped by the work of man with which it becomes integrated:

Hasan looked at his house. It was still holding out with dignity. Its white walls, washed with the spring perfume of almond blossoms, drank in the silver of the moon. The stones of his house had been quarried from the mountain, brought by his ancestors. His orchard was the fruit of an axe hoe whose every blow was accompanied by thousand promises.

He had planted an almond tree the day Umar was born. It had thrown down roots and produced leaves. He used to carry his son and, placing him near, would say, "Let's measure. Which of you two is the taller, you or the almond tree?" (Azzam 2018, 20)

Hasan buries his child and returns to the road to reach the multitude of the "defeated." Piselli's reading summarises the tragedy of events:

His sense of defeat is overwhelming, his grief turns to hatred, and he loses his earlier heroic strength. He buries the baby and returns to the road to join the other "defeated" refugees, blinded by his hatred and "trying to keep from stumbling over the stones in the road." He loses his job, social position, home, village, son, and wife, for the two become separated on the road. In his hatred, he loses also his soul, for he recites no prayer over the child's grave; "hatred had silenced him". The author emphasizes the unnatural, horrible nature of the tragedy of Palestinian defeat in her description of the night sky. (Piselli 1988, 97)

Yasir Suleiman reads the scene in a different but equally emotional way:

This scene is enveloped in an atmosphere of sadness. But it is also intended to convey a sense of love and hope. The teacher 'deposits' his only son in the land he cherishes and loves, sowing the seeds of growth and hope which the tree and the moonlight, in their traditional interpretations, symbolize. (Suleiman 1991, 157)

In another story by Samira Azzam, *Khubbz al-fidà'* ("Bread of Sacrifice"), the protagonist Su'ad loses her life to get bread for Ramiz and his companions who defend the besieged city. Su'ad's blood-soaked bread represents survival for the five boys on the barricade, but no one dares to touch it. Ramiz asks:

What price would he pay? Could he bear to see the hands tearing off a piece and the teeth chewing the bread she had stained with her blood? [...].

But if he could choose the death he desired, the lie would not choose to starve. Su'ad herself would never allow that of a hero [...] Then he got up and carried loaves of bread. As he opened his hand to open the trash, he would tell them an ancient story known to

this land and its inhabitants, a story to weave about the redemption of life in flesh and blood. (Azzam 1992, 398-39)

Again, the narrative environment of Al-Nakba in which the characters move and into which they merge is the Palestinian natural world:

It was spring. Springtime in this part of Palestine is a sparkling sea, traversed by white sails during the day, and lit by the twinkling lamps of fishing boats at night. The fragrance of the orange groves fills the air. That spring, Ramiz learned about two things--love and war--and the first gave meaning to the second. War was not simply an enemy to kill voraciously. Rather, it was the assertion of the life of the land he loved and the woman he loved. Palestine was not only a sea with fishermen's boats, and oranges shining like golden apples, and not only olives and olive oil filling the large oil jars. It was Su'ad's black eyes as well and in Su'ad's eyes he saw all of Palestine's goodness. (Azzam 1992, 393-94)

In her writings, Azzam reads Palestinian nature through labour, as in *The Orange Spring*:

Tree that accompanies tree, orange grove that follows orange grove, garden that embraces garden to form a single large garden for everyone: the one that plants, the one that gathers, the one that exports. They worked with energy, ready to lighten the trees of what weighed them down to prepare them for a new promise. Don't ask me how all these people tied their lives to trees. The truth is that orange is not just a tree, it is a plant that knows what its role is. Hands for collection and hands for crates, hands that took them to ships, hands that took and hands that gave. (Azzam 1982, 93-94)

A recurring motif in the Nakba narrative, is that Palestinian nature recognises only those that take care of it. As in *the Almond and the Garden*:

They told me that with its white stars the tree with its huge shadow, looked for the children to make its stars rain on them in April, and did not find them and waited for them in the mornings and in the spring evenings. No more appeared in the garden, so the almond tree shed its blossoms, branch by branch. (Azzam 1982, 98-99)

The choice of the almond tree in bloom in many stories recalls ethnic cleansing. Almond trees bloom in April, and in April 1948 the large coastal cities of Haifa and Jaffa and almost the entire Palestinian coast came under attack by the Zionist military. The number of expelled inhabitants exceeded 420,000. The author is from Acre, which fell on 16 May 1948, the month when trees blossom. These are the perfumes that 21-year-old Samira will take into exile.

In Azzam's narrative, as in many works by Palestinian authors, the relationship with the natural and historical environment is direct, normal, and not mediated by ideological structures. On the contrary, colonisers assign a regenerating, sacred, redemptive function to the land. The founder of political Zionism, Theodor Herzl, as well as Chaim Weizmann, head of the Zionist Movement and future first president of the State of Israel, did not like the Palestinian

landscape. Writing in 1941, Weizmann recalls his first visit to Palestine in 1907: "A dolorous country it was on the whole, one of the most neglected corners of the miserably neglected Turkish Empire" (Weizmann 1959, 125). And even more: "It seems as if God has covered the soil of Palestine with rocks and marshes and sand, so that its beauty can only be brought out by those who love it and will devote their lives to healing its wounds" (Weizmann 1959, 371). The colonisers insisted they should have the function of redeeming the earth and regenerating the Jewish spirit; therefore, they are the "regenerators of Jewish settlement in Palestine" (Ben Artzi 1990, 132).

The characters of Azzam's stories are immersed in the natural and historical landscape of Palestine; farmers, workers, and many women, all carrying the trauma of the Nakba, they are (and feel) defeated. They have lost their home, their land, and their work. They have become refugees. They feel "out of place"⁴ and some do not hold up and go mad—as in *The Madman of the Bell*, a story written in two versions that describes the madness of a bell ringer who, having become a refugee, can no longer ring the bells of his or other churches:

"The Madman of the Bell". This is what they called him in the land where he had taken refuge, a nickname that you can understand ... He used to stand for hours in front of the church bell with the desire that they would leave him the rope for a few minutes. [...]. We heard that Masūd had gone to the neighboring villages, in that land of exile, and had tried and prayed saying that he was a bell ringer; but he had always come back with his desire unquenched in front of every bell he had implored for. He had stopped staying in the church square, he was content to remain in the doorway, with his hands in the air like someone who pulls the rope and imitates the sound of a bell: dong, dong. (Azzam 1982, 132-134)

The social boundaries of what happens during the Nakba are difficult to circumscribe. However, in Azzam's as well as in Kanafani's work, the Nakba is translated into literary creations, conveyed through different forms, narratives, and theatricalities. In particular, Kanafani's novel *Return to Haifa*—which is perhaps the most famous Palestinian literary work—is a precise example of Nakba narration, taking on a familiar and individual dimension. (Kilpatrick 1976a).

The protagonist of *Return to Haifa*, Said, says to his wife:

This is part of the war. They're saying to us, "Help yourselves, look and see how much better we are than you, how much more developed. You should accept being our servants. You should admire us". But you've seen it yourself. Nothing's changed. It was in our power to have done much better than they did. (Kanafani 1984, 151)

Here we find a significant key to Kanafani's narrative, one that rejects the idea of the superior "white man" and instead indicates the path that the

⁴ The expression refers to the title of Edward Said's autobiography (2000).

protagonists, or their children, must take to obtain a new Palestine. Not in the abstract—not a ‘lost paradise’ or the ‘promised land’—but a land to be reconquered through struggle, for a new beginning.

This short novel describes a Palestinian couple, Said and Safiyya, who were expelled in 1948. After the 1967 war and the abolition of the armistice line that divided Palestine between Israel and the West Bank, they can return to Haifa for the “trivial reason” of revisiting the house left twenty years prior. In reality, are looking for their son who was abandoned in the cradle in that house during their escape. Said and Safiyya never talk about their lost son but decide to go to Haifa anyway.

The silence between the two characters while traveling to Haifa is full of memories of their personal experience of ethnic cleansing, of the exodus, of that moment when it all began, confused between past and present:

The explosions intensified. Even though he was far enough away from the site of the shooting he could still make out British soldiers who were boarding up some windows and opening others. Somehow, he found himself in the Old City and from there he raced with a strength he didn't know he possessed toward South Stanton Street. And then he knew he was less than two hundred meters away from Halul Street, and he began to catch the scent of the sea. At that exact moment he remembered little Khaldun, his son who was five months old that very day, and a dark apprehension suddenly spread over him. It was the one taste that never left his tongue right up to this moment, twenty years after it happened for the first time...

Had he expected that disaster [fajica]? The events were mixed up, the past and present running together, both in turn jumbled up, with the thoughts and illusions and imaginings and feelings of twenty successive years. Had he known? Did he sense the calamity [fajica] before it happened? (Kanafani 1984, 154)

It should be remembered that the return of the two characters to Haifa can only be achieved following a further defeat, the 1967 war, the so-called Six-Day War. Said and Safiyya, although fully aware of that defeat, cannot explain their tragedy, their Nakba, even after twenty years:

That has never happened in any war in history. You know the terrible thing [fajica] that happened in April 1948, so now, why this? (Kanafani 1984, 151)

Here Kanafani, rather than resorting to the more frequent term Nakba, in these contexts introduces *fajica* (فاجعة) for its meaning of ‘misfortune, disaster, calamity, disaster, catastrophe, drama, and/or tragedy.’ With the adjective *fajic* (‘distressing, painful, anguished, tormenting, atrocious’) falls within the semantic field of the root *fjc* (ف.ج.ع) where the ‘mourning’ component is strong. Therefore, in addition to the collective aspect, there is a marked individual component of personal mourning in *fajica*.

In memory, the journey is a return to that night they had been forced to flee by sea, a moment signalled by defeat. Barbara Harlow tends to focus on the psychological implications of the event:

The decision to visit Haifa did not come easily to Said and Safiya who, during the several weeks following the war, had struggled with the trauma of defeat and their fear of confronting the past, the nightmare hidden in their memories. (Harlow 1986, 4)⁵

Return to Haifa, elaborated right after that defeat, is part of the debate that takes place under the banner of *muqāwama* (resistance) and revolves around the fate of Palestinian refugees. It was Kanafani who initiated the use of expressions such as *adab al-muqāwama* (resistance literature) and *al-adab al-muqāwim* (resistant literature), both contained in the titles of two books he wrote on Palestinian literature (Kanafani 1966, 1968). At the end of the novel, Said, the father's character, "looks at the catastrophe" hoping that the remaining second son will join the resistance. Even in its paratextual elements, Kanafani's novel is considered *adab muqāwim*, resistant literature. The Arabic title is *ʿĀ'id ilā Hayfā* whose morphological form hints at a will to resist, the only way to 'go home.' The substantive 'return' stands for a verbal adjective, which in Arabic indicates a dynamic subject, an active participle that could be translated as 'that has returned,' 'that returns,' or 'that will return,' in which the expected value prevails over the temporal data. Using the same morphological form of Kanafani's title, the Palestinian writer Emile Habibi reaffirms its meaning in having "I'm remaining in Haifa" engraved on his plaque, *Bāqin fī Hayfā*. This detail becomes quoted and finds continuity in Mohammad Bakri's film *Since You Left* (2004), where the director-actor "builds" a dialogue with the master Habibi and when he goes to the writer's grave in Haifa cemetery, the epigraph is in the foreground.

With *Return to Haifa*, Kanafani joins the vast Nakba literature, one that simply tells it with one that incites revolt (Campbell 2001). The novel opens up new horizons to the general public in presenting the 'enemy' in a non-stereotyped way, in the guise of a victim.— The elderly Polish Jew who now occupies the house welcomes Said and Safiyya; later, it will be discovered that she survived Auschwitz. The dialogue between the three takes place in embarrassment. Miriam, the Israeli, says: "I'm sorry. But that's what happened. I never thought things would be the way they are now." Said, the Palestinian, thinks: "She wasn't guilty of anything...But how could he explain it to her?" (Kanafani 1984, 164).

Some scholars, including Khalida El-Shikh Khalil (1989), who studies the symbolism in Kanafani's work, believes that realism prevails over symbolism in *Return to Haifa*. Others, such as the Palestinian writer Jabra Ibrahim Jabra (1971), think that Kanafani goes beyond the contingency linked to Palestine.

⁵ See also: H. Kilpatrick 1976a and 1976b.

Return to Haifa translates the historical and apocalyptic significance of the Nakba into individual terms. The contours of a catastrophe that has become a human condition involving two worlds rapidly follow one another. Edward Said's expression "victim of the victims"⁶ reaches its apex when the son bursts onto the scene: for the Palestinians, a natural son (Khaldun), and for the Israeli, an adopted son (Dov). The boy is a soldier in the Israeli army who was adopted by the Polish Jewish couple that took over the house. The blood link passes to a second order, replaced by emotional relationships supported by a cultural model that seems to be winning. *Man is a Cause* by Siddiq (1984) affirms the character of Khaldun/Dov, now an Israeli son:

Said asked quietly: "You're in the army? Who are you fighting? Why?". The young man jumped to his feet. "You have no right to ask those questions. You're on the other side". "I? I'm on the other side?". Said laughed heartily. And with that explosive laughter he felt as if he were pushing out all the pain and tension and fear and anguish in his chest. (Kanafani 1984, 180)

In *Return to Haifa*, two parallels are established. First, between the Jewish European tragedy and the Palestinians enforced diaspora. A second parallel is drawn in which the drama becomes personal: the Jews who had escaped extermination camps and the two Palestinians who had escaped the ethnic cleansing of their land. The ideological and emotional clash between the Palestinian father and the adopted Israeli son overlaps the two levels. The son assumes the colonial European discourse of the 'promised land'—something his indigenous biological father cannot accept. The son interprets the reasons of occupancy and does not hide his contempt for the "natives," so much so that he accuses them of being "cowards and incapable" (Kanafani 1984, 185). The wounded father reacts: "I'm looking for the true Palestine, the Palestine that's more than memories, more than peacock feathers, more than a son" (Kanafani 1984, 186). The peacock feathers are a compositional motif: Said had noticed that everything in the house had remained as he had left it twenty years earlier, except for two of the six peacock feathers in a vase, which were gone.

In *Return to Haifa*, the story of Said and Safiyya who lost their home and son, the story of the capture of Haifa, and the story of Iphrat and Miriam who escaped the Nazi death camps are told in parallel. Most importantly, it tells the story of the son—a man/country—in which symbolic elements laden with 'sacred' value coagulate.

Ideological-political interpretations have been put forward concerning this short novel. For example: "Return to Haifa represents Kanafani's effort to project in literature the vision of a 'democratic solution' for the future of Palestine" (Harlow 1986, 8). Starting with the presence/absence of victims and primarily of Khaldun/Dov (symbolising the son-country dichotomy), all the ingredients of the short novel are constitutive elements of the Nakba. The

⁶ The expression is borrowed from the subtitle of the 1995 Italian translation of Edward Said's book: *La questione palestinese. La tragedia di essere vittima delle vittime*. Roma: Gamberetti.

enforced absence is total: moral, onomastic, mnemonic, and, above all, physical (Sanbar 2005, 204).

On the way from Ramallah to Haifa, Said speaks continuously until, upon reaching Haifa, silence falls between the two:

Finally, nearing Bat Gallim, they fell silent. Here they were, gazing silently at the road they both knew so well, its memory stuck fast in their heads like part of their very flesh and bones. (Kanafani 1984, 160)

Memories crowd together in a rapid succession of flashbacks, a recurrent technique in Kanafani's work that he used in *Return to Haifa* to reconstruct the apocalyptic scene of the exodus from Haifa. The moment of *fagica*, of personal tragedy, is told as follows:

Evening began to settle over the city. He didn't know how many hours had passed as he rushed from street to street, but it was clear that he was being propelled toward the port. All the side streets leading off the main road were closed. He kept plunging down side streets trying to get to his house, but he was always driven back, sometimes by rifle muzzles, sometimes by bayonets. The sky was on fire, crackling with shots, bombs and sounds, near and far. It was as though the very sounds themselves were pushing everyone toward the port. Even though he could not concentrate on anything specific, he couldn't help but see how the throng of people thickened with every step. People were pouring from the side streets into main street leading down to the port. [...] In this case Kanafani does not draw on his own or his family memories. We know that the family had left Haifa a few days before the fall of the city when the writer was 12 years old. *Return to Haifa* was published in 1969, during years passed in exile, it is through personal stories that the author was able to reconstruct versions of the memory of the fall of Haifa. But if personal memory is the sediment of experience, what we have chosen to remember, collective memory constitutes a vast circle of that experience: men, women and children, empty-handed or carrying a few small possessions, crying or being floated along in a paralyzed silence in the midst of the clamor and confusion. He was swallowed up in the rushing wave of humanity and lost the ability to direct his own steps. (Kanafani 1984, 154-155)

Some scholars believe that the quoted passages are too compressed, which in artistic terms constitute the weak point of the novel. El-Shikh Khalil (1989), for example, places *Return to Haifa* in the context of realism, denying any symbolic value:

It is a work with a strong ideological point addressed to the general public. This has led the author to simplify the characters and the narrative technique [...]. From an artistic point of view the novel is inferior to the previous ones. (El-Shikh Khalil 1989, 163)⁷

⁷ S. Wild (1975) also considers Kanafani's work of little value. Reviewing Wild, H. Kilpatrick (1977) claims: "His fiction is here referred to solely as a means of illustrating his political views, and this can lead to disconcerting judgements, as the following statement shows: "Aid ila Haifa is Kanafani's most interesting novel, although artistically not his best" (p. 22). Few would quarrel with the second half of the sentence, but how far can the qualities of 'interest' and 'art' be distinguished and contrasted with each other? [...] There are many writers of fiction in the Arab world whose works could be adequately treated by being related to political events and ideas and used to throw light on them. But Kanafani's fiction includes many more elements than the purely and directly political (p.172) (Kilpatrick 1977).

In fact, the details described in the scene above has some passages recurring in military reports, journalistic reports, and the historiographic narratives of the Israeli side. The day after the Haifa catastrophe (23 April 1948), the *Jerusalem Post* wrote that it was “an offensive that forced the Arabs to flee to the only open escape route: the sea” (AA.VV. 1987, 120).

David Ben Gurion, the director of the ethnic cleansing campaign, reports in his diary how the Zionist military managed to create a panic situation and to direct the inhabitants to the port:

On the night of the bombing on April 22, there were 25,000-30,000 [in reality 70,000] Arabs in the city who started to flee to the port, the German quarter (under English control), boarded boats and buses. Many hid in port warehouses, Christians in churches. Now in Haifa there are less than 10,000, perhaps 6,000. The Arabs are constantly leaving. Some go back to get bags, but you don't allow it because you don't know who everyone is. (AA.VV. 1988, 43)

All the details that Kanafani uses to build that scene are reflected in some Israeli historiographical works. One example is that element called by Zionist historians “psychological blitz” (Kimche 1950, 229; Kimche and Kimche 1960; Valabrega 1988, 41-42) of which Kanafani's character, Said, is a victim:

The moments passed slowly, relentlessly, making it seem like an incredibly severe nightmare. He went through the iron gate to the port where British soldiers were restraining people. From the gate he could see masses of people tumbling one over the other, falling into the small rowboats waiting near the wharf. [...]. Above him the smoke and the wailing of bombs and hail of gunfire fused with the screams, the footsteps, the sea's pounding and the sound of oars slapping the surface of the waves... (Kanafani 1984, 155)

“Lamentations” and “cries” are reported by Israeli authors who then spoke for Zionist militias. They describe in detail the systems used to spread uncontrolled panic in Palestinian neighbourhoods. Jeeps with speakers were used to broadcast recordings of “terrifying sounds”: shouts, moans, anguished cries of Arab women, siren screams, and tolls of alarm bells, interrupted by an Arab sepulchral voice that invites people to escape! (Valabrega 1988, 118).

Numerous testimonials on the subject exist in Israeli literature or documentation. For example, Arthur Koestler (1949, 233) describes the means used to panic the population and war actions that led to ethnic cleansing. John Kimche (1950), provides a detailed description of the military campaign to generate panic, forcing people to gather in the port to get on the boats, thus completing the expulsion operation.

In the novel, the scene of expulsion, or the context in which the *fajica* takes place, is not a place that can take on immediate symbolic values. For Kanafani though, that place—Haifa—takes on a particular value: “This is Haifa then, twenty years later” (Kanafani 1984, 150) The city is described in two stages,

with twenty years difference. The names of neighbourhoods and streets are imprinted in the memory of the protagonist; they have changed not because of the natural passage of time, but because the transformation is desired by people who designate those places in another language. Those same places that in *Return to Haifa* were a collective memory are now only in his personal memory, recognised as an *ancient* relationship with the city:

He was driving his car just as he used to, as though he hadn't been absent those twenty bitter years. The names began to rain down inside his head [...] for him the street names had never changed. (Kanafani 1984, 152)

The character moves following the habit of the time preceding the expulsion, demonstrating the fact that his presence interacts with that place, as if to reject his own absence imposed by the enemy:

He turned the car the way he always did and climbed the slope, watching out for the exact spot on the narrowing road. The three cypress trees that hung over the road had new branches. He wanted to stop a moment to read the names carved long ago on their trunks; he could almost remember them one by one. (Kanafani 1984, 160)

For the exiled refugee the images of the past emerge from the memory:

Suddenly, the house loomed up, the very house he had first lived in, then kept alive in his memory for so long. Here it was again, its front balcony bearing its coat of yellow paint. Instantly he imagined that Safiyya, young again with her hair in a long braid, was about to lean over the balcony toward him. There was a new clothesline attached to two pegs on the balcony; new bits of washing, red and white, hung on the line. Safiyya began to cry audibly. He turned to the right and directed the car's wheels up over the low curb, then stopped the car in its old spot. Just like he used to do—exactly—twenty years ago. (Kanafani 1984, 161)

While Said and Safiyya make the usual habitual gestures—they cross the street, enter the building, go up the stairs, ring the bell—remembering the series of known details, the doodles on the wall, the broken step, the old wooden light meter box: “He put his fingers on the bell and said to Safiyya quietly: ‘They changed the bell.’ He was silent a moment, then added: ‘And the name. Naturally.’” (Kanafani 1984, 162)

The interest of the story, after all, lies in the intersection of two places: that of the Nakba, the collective catastrophe, the city with its neighbourhoods, markets, and streets; and the place of *fajica*, the familial and personal disaster, in the house with its stairs, balconies, rooms, objects, and memories. It is in the city that many individual *fajica* merge into the general Nakba. The circumstances from which the story emerges give rise to a further observation: the relationship with the city's space is not owned, but is to be found in the interior, made intimate because it is made of the memory of the dreams that were placed in the past. Kanafani, insisting on details that in another context would

be completely ordinary and normal, indicates one of the most problematic aspects of the Palestinian Nakba: the difference between the perception of a real country that the Palestinians have of Palestine, and the perception of a 'holy land' or 'promised land' held by Europeans.

That place holds different meanings, for the natives and for the colonisers. Like few other places, it has been the subject of narration, undergoing manipulations dictated above all by the Nakba—told by those who have undergone it, and also by those who have wanted it.

The reader of this book, even if only through the examples cited, will find confirmation of what scholars have largely highlighted. It is the individual and collective trauma of the Nakba that lies at the bottom of the new Palestinian literature, modelling in many ways a new identity that is to be understood, in Elias Sanbar's (2005) convincing elaboration, as a long series of figures in movement. In each of these figures and representations, and in their themes, the Nakba can be glimpsed. Even in works that do not directly refer to ethnic cleansing and the exodus, or to war and its horrors, the catastrophe is continually recalled, in the memories of characters, in references to places and monuments, in settings and in the reference to nature, in meetings and in all representations. Collective trauma has repercussions on every social aspect and, therefore, on the cultural and literary life of the Palestinians, so that everything written—both literary and otherwise—does not escape the Nakba, which has now become a part of the Palestinian human condition.

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Chapter Sixteen

Filming Palestinian Graffiti, Engaging Science: Sharing Power and Authority on Knowledge Production

Tamara Abu Laban and Clémence Lehec

This chapter is about the negotiation process involved in the co-construction of knowledge through documentary movie production. It demonstrates how a documentary movie production in a research project can be a tool to build a collaborative research design from the very beginning to the results. The chapter is based on the experience of co-directing the film *The Walls of Dheisheh* (2019, 36'), involving a French student, Clémence Lehec, and a Palestinian filmmaker, Tamara Abu Laban. The film is an interview-based documentary that served as a research methodology to examine Palestinian graffiti and artists: the results constituted a visual output for a PhD degree. The people interviewed are successive generations of graffiti artists: their experience allowed for drawing up a history of the graffiti movement in the Dheisheh camp and for showing the evolution of the types of graffiti across time. The nature of the project as doctoral research and the collaborative model adopted in the documentary production process created a space of negotiation and contestation over the production of knowledge. The co-production of a documentary within a research project reinstates power to the people by enabling them to assume co-ownership right down to the research results.

Note to the reader: the parts in italic were written by Abu Laban, while Lehec wrote the others.



Exit

2006 | Exhibited as photographic prints and as video art, Lambda print on diasec, 70 x 62 cm.

Source: **Steve Sabella**, <https://stevesabella.space/pages/exit>

Introduction

The research results, which mostly in the form of academic writing, are usually signed only by the lead researchers, thus hiding the work of multiple other individuals and interlocutors integral to the knowledge production and reflection process. Being the author of an academic production implicitly implies a form of authority and a certain power over the knowledge produced. In this sense, one may claim that not sharing authorship with the people involved in the research process strips the interlocutors of their power over the knowledge produced. Also, it may lead, to put it in geographical terms, to a socio-spatial divide between the two groups—the researchers on the one hand, and interlocutors on the other. While researchers have the possibility of circulating between several spheres, the field and the academic world, the unknown informant remains confined to the local sphere.

These imbalances in power over knowledge production between the researchers and their interlocutors, it is important to note, are not unique to conventional research projects, but also characterises those that combine visual approaches as methodological tools to document and analyse the lives of people. On many occasions, visual productions carried out as part of doctoral research projects occupy a marginal position in the final output. Too often the visual outputs are considered as an appendix, rather than an integral part of the doctoral process. Occasionally, the researchers are also the sole producer—director of the visual output, thus imperatively relegating the interlocutors to the position of an object (of study) rather than an agent who holds power over the knowledge production process. While often genuine intentions for collaboration do exist, the process is marked with condescension on behalf of the researcher towards the population “studied,” which in turn risk crippling the process of collaboration (Parr 2007).

This chapter aims to demonstrate how documentary production in a research project can be a tool to build a collaborative research design. Specifically, it seeks to illustrate the importance of documentary co-production within a research project in reinstating the interlocutors’ power over knowledge production and allowing them to assume co-ownership of the research process and its results. The chapter is based on the experience of co-directing the film *The Walls of Dheisheh*, involving French doctoral student Clémence Lehec and Palestinian filmmaker Tamara Abu Laban. Empirically, the chapter aims to engage with and describe the negotiation process involved in the co-construction of knowledge for this documentary production.

The Walls of Dheisheh is an interview-based documentary that simultaneously served as a data collection methodology to examine Palestinian graffiti and artists within the framework of a doctoral research project and a research result, constituting a visual output to fulfil the requirement for obtaining a PhD.

Produced by Clémence Lehec and co-directed with Tamara Abu Laban, this 36-minute-long documentary¹ aims to retrace and understand the history of Palestinian graffiti movement in the Dheisheh Camp,² located in the West Bank³. The camp walls are a canvas for graffiti artwork that formed an integral part of the Palestinian struggle against occupation and colonisation; therefore, it is an imperative site to understand the relationship between art and politics in the occupied Palestinian territories (oPt).

The documentary production team were composed, in the main, of a Dheisheh Camp inhabitant with work experience in cinema production. The people interviewed in the documentary are successive generations of graffiti painters, who narrated the evolution of the graffiti movement over time, tracing the genealogy of their motivations and explaining the conceptual framing of the walls' artwork. The nature of the project as a doctoral research project and the collaborative model adopted in the documentary production process created a space of negotiation and contestation over the production of knowledge, which allowed for the realisation of a knowledge production model that is fully collaborative. The co-production of a documentary within a research project, we argue, reinstates power to the people by allowing them to assume co-ownership right down to the research results

Geography constitutes the framework in which the doctoral research has been done, and the documentary produced. This discipline is in touch with the visual in an ontological and methodological way. Gillian Rose, for instance, has documented and problematised the relationship of the discipline with the visual dimension (Rose 2003). Sara Kindon, who in 2002 deplored the fact that few geographers have moved beyond the dominant, masculinist, and colonial model of knowledge production (Kindon 2003), has also contributed to this problematisation. By advancing the possibility of using participatory video to practice feminist geography that moves away from the dominant observational model, she calls for a shift in geography's scientific paradigm. Indeed, Kindon, quoting Ekinsmyth, sees feminist geography as representing: "an acknowledgement of the partiality of all knowledge; a sensitivity to power relations; a faith in 'everyday knowledges'; an openness to a diversity of approaches; and the importance of emancipatory goals for research outcomes (Ekinsmyth 2002, 177)" (Kindon 2003, 150). Kindon argues that using participatory video as a feminist geography practice allows for "exploring the production of a 'new politics of knowledge' together (i.e. researchers and researched)" (Kindon 2003, 148), and thus strengthening the prospect for political change.

¹ It was shot in 2017 in the Dheisheh refugee camp in the oPt and released in 2019.

² The Dheisheh camp was established in 1949, shortly after the Nakba, the exodus of the Palestinian population. Its inhabitants are originally from 45 villages from Jerusalem and Hebron areas as recorded by the United Nations Relief and Work Agency (UNRWA).

³ Profile Dheisheh Camp : Bethlehem Governorate available on https://www.unrwa.org/sites/default/files/dheisheh_refugee_camp.pdf

Despite these promising analyses, it is still difficult, however, to give a precise definition of what a participatory video actually is, and what constitutes its participatory dimension. In general, “participatory videos” are often referred to in several ways. Some call this type of method “participatory” (video), others “community” or “collaborative” videos. These designations correspond to audiovisual production projects that involve the “object” of the study—the people—as central actors in the production process at multiple levels. This chapter adopts the term “collaborative” video to better describe the production process adopted in our project. The use of this notion is based on a conscious decision, and suggests a critical appraisal of the alternative concepts. The idea of “participation” implied in “participatory video,” does not seem strong enough in our views since it etymologically corresponds to saying “taking part in.” In a way, the term “participatory” means that something pre-existed the fact that individuals take part in a project. The term “community” in “community video” also implies certain prior homogeneity of the group with which one is going to work. Collaborating then seems closer to the method that has been experimented with, in that it is simply a matter of “working together.” This is the most neutral term to describe a practice that has been recognised *a posteriori*, as carrying some of the same objectives as feminist and decolonial approaches.

This chapter offers an opportunity for a reflexive analysis on the way the collaborative process was constructed, and the documentary produced. This chapter goes out of the usual canons of scientific papers. Tamara Abu Laban and Clémence Lehec will both take turns speaking during the course of this reflection process so that each of our positions can be made explicit in its particularities, thus highlighting the path that has been travelled to build a common voice exemplified in our documentary, *The Walls of Dheisheh*. In the following sections, the parts in italic were written by Abu Laban, while Lehec wrote the others. By looking back at our documentary choices, we will first reveal behind the scenes of a collaborative research project. Starting with our notes of intention, we will explain how the construction of the documentary was a constant negotiation between our two perspectives. To gradually move towards the most complex elements, in the second part we propose a journey that will shed light on the choices we made concerning the style of the documentary as an interview-based one, and the selection of the interviewees. Third, we will discuss two editing techniques that we used, which consisted of contradictory cinematographic temporalities, traveling shots,⁴ and jump cuts,⁵

⁴ A traveling shot is a sequence shot that lasts a certain amount of time without editing. It is a shooting technique that will not be edited. It is shot in one go and in motion; the camera then moves along the scene being filmed and thus accompanies the movement. This is a type of shot that allows the camera to pick up the rhythm of a walk, for example. Filmed on foot, it allows setting up a contemplative rhythm, linked to discovery.

⁵ The jump cut is an editing technique. It involves cutting in a long shot and arranging each sequence selected from this shot one after the other. The effect obtained is to create temporal ellipses, which give a certain dynamism to these sequences.

to account for the space of the camp. We will use these examples of contradictory cinematographic temporalities to reflect our different positions towards the camp as a space to depict. Fourth, we will return to an emblematic moment of negotiation around the *shuhada*⁶ issue to show how our two perspectives were able to find visual compromises, before we conclude.

A brief introduction to *The Walls of Dheisheh* documentary project: Our two perspectives

We worked for months on our documentary, The Walls of Dheisheh; we watched it in parts and its entirety thousands of times, and after all of that, it is strange how I still enjoyed it just like any audience when I watched it with people in the cinema. For almost one year I did not see the film at all, and recently I have experienced seeing it again with fresh eyes. I watched the film at the Karama Beirut Human Rights Film Festival alone, and at the Cinema Med (Mediterranean Cinema Film Festival) in Brussels with my co-director. I remembered a line I read once: "Your reward is to move hearts and minds and maybe change the world a little." This is what I felt when our film was screened in festivals; that we are trying to change the world, a little.

If I go back to the time Clémence and I were discussing the ideas in the pre-production phase, that was when I asked myself for the first time: what do I see on the walls of the camp? I needed to look with a fresh eye; for my whole life, I was used to walking beside the walls in the narrow streets, I never observed, and for many years I stopped seeing what was written on the walls. Then, before the film production, I wrote an article (Abu Laban 2013), and for the first time, I tried to see familiar things as if I had never seen them before.

It is not easy to be objective, that is why having two directors, one from Dheisheh camp and one from Europe makes sense. I know the places, cultures, politics, and complications while Clémence has a fresh look, and she can see things from a long distance as a foreigner and a researcher. It is another perspective.

Every film you produce is an experience, what happened with me in this film was to experience what I already experienced in my life, so it was not about acquiring new knowledge this time; rather, the idea of having a different perspective was the adventure. Clémence asked me once: "Why didn't you make any film about the camp before, since you were born here?" I really do not know why. Maybe I did not want to dig deeper in my history related to this place, because it

⁶ *shahid* in the singular and *shuhada* in the plural are the Arabic words for "martyr." We use it in Arabic to draw attention to the fact that it must be understood in the light of the particularities of the Palestinian context. We will elaborate on this later in the chapter.

is full of tragedy, believe me, it is not easy—but on the other hand, to not focus on the things you care about is to deny the loyalty to your story.

Tamara Abu Laban and I have a very different relationship to the camp; whereas it is a familiar place to her—in that it is the place of her childhood, and she works there today—it is a space that is foreign to me. Our perspectives are also contrasted in terms of the motivations for making this documentary. For me it was to produce a scientific document, while for Tamara it was to make, for the first time in her career as a filmmaker, a documentary about this place that is dear to her.

Through the study of graffiti on the Dheisheh refugee camp walls, I have been working on the concept of borders. This approach is in line with the geography of art, which aims to study spatial elements from the perspective study of a practice or an aesthetic object. Some researchers have noted the emergence of a new art form, called border art, which corresponds to works at stake with the border (Amilhat Szary 2012; Giudice et Giubilaro 2015; Guilló 2016; Schimanski 2015). The artworks can then either take the border itself as object support, or deal with the thematic aspect of it. Given this observation of the use of the border element by artists, some geographers have reversed the proposal by analysing the border fact through art (Iglesias Prieto 2007; Amilhat Szary and Fourny 2010). Within the framework of this research, graffiti—an art on the margins of the artistic field that is in touch with the “limits” (of legality; (bodily) ability of graffiti artist’s body, etc.)—has made it possible to reflect on borders, understood in a plural sense. Following the new development of border studies, we do not define the border in the strict sense of a line separating two states, nor are we interested in the purely material dimension of the border. The border is to be understood in all the complexity of the system that surrounds it—which has been called, in the Israeli-Palestinian context, the “closure pattern”⁷ (Salenson 2009) or the “matrix of control” (Halper et Younan 2009) in its diffuse nature and at all scales, even down to the bodies that are controlled.

This approach to the border follows the new definition of it as a mobile border (Amilhat Szary and Giraut 2015; Gilbert et al. 2014; Mezzadra and Neilson 2013; Nail 2016; Steinberg 2009), which I have defined as one of its occurrences through the concept of a Damocles border. Given that Israeli soldiers regularly make military incursions into the Dheisheh camp to arrest certain people, it appears that the border is actualised and moved in these moments of military raids. The fact that the graffiti artists paint at night, thus exposing themselves to an increased risk of being in the camps’ streets at the same time the Israeli army invades it, has made it necessary to form this notion of the Damocles border. Thus, according to a nocturnal appearance regime, the border weighs on the bodies of Palestinian refugees and appears as something that always

⁷ The translation of this concept into English is by the authors.

has the potential to lead to confinement (if there is arrest and imprisonment) or death. The Damocles border is an element that can be actualised in extremely different temporal and spatial modalities, making it always a potential. It is a mobile and embedded boundary that glides as close to the bodies as possible, that is why it is defined with the Damocles image; that is to say, from the perspective of the bodies it constrains. Being ephemeral, it is also potentially always there. It is a declination of the frontier that signifies confinement or danger, the limit from life to death being at stake in its always potential actualisation. The actualisation of the frontier corresponds to a crossing or displacement of the latter, in a context where its emergence is not fixed but always possible, according to the Israeli military invasion.

It is in the frame of this research that I had the chance to meet Tamara Abu Laban and to work on the production and realisation of the documentary film, *The Walls of Dheisheh*, that was codirected with her and that formed part of the results of my doctoral thesis. Our contrasting perspectives are perceptible in the artistic choices we have made along the way, which we will detail in the following sections.

Interviews to chronicle the history of Palestinian graffiti

The movie *The Walls of Dheisheh* relies on eight interviews. The persons interviewed in the documentary were selected from a poll of 30 people in an interview panel, which I (Clémence Lehec) led during the fieldwork. The interviewees were selected because they were representative of a specific period in the Dheisheh graffiti movement. By order of their appearance in the documentary, Saleh Abu Laban and Mohammad Manasra were the first interviewed. They both represent the very first generation of graffiti painters in Palestinian refugee camps in the late 1960s. Mohammad Allaham was the second to be interviewed, since he represents the generation of the First Intifada. Finally, Mohammad Al Saifi, Aysar Al Saifi, Ali Obeid, Kareema Obeid, and Ahmed Saleh were interviewed. They all belong to the new generation of graffiti painters who were until recently or are still active today, except for Kareema Obeid, who is the mother of one of the artists. She was interviewed to shed light on how relatives of the graffiti painters perceive their activity.

Clémence took the decision about what interviews to conduct, and whether it should be one person alone interview or two people together. The two people interview was thought of as a means to break out of the formal interview format to provoke a discussion between two interviewees. I liked the common interview of Saleh Abu Laban and Mohammad Manasra. In a documentary production, we can learn about people's interaction on screen, their chemistry, and trigger debate.

I could feel the great chemistry between Saleh and Mohammad. It is like a colour mix—sometimes when we mix two colours, we end up with a better colour.

Our idea was to shoot this movie in Arabic, even though Clémence does not speak it. It was clear to us that we would have better interviews with people speaking with their own words using their mother tongue. But since there are some ideas that you cannot translate, people who do not speak Arabic might miss some elements, like the words written on the walls or the names of the destroyed villages from where Dheisheh inhabitants' descent from that are listed on one mural at the entrance of the camp. Maybe next time we should take this into consideration in the editing process, to dedicate some time to translating the murals themselves.

The film shows three generations of Palestinian graffiti artists: the older are proud of the time they were active in wall painting, and of what they did as first painters on the camp's walls. Mohammad Manasra, from the first generation, is proud of what he has accomplished in the period before the First Intifada and during its early years. At that time, graffiti artists were not organised at all. Their activities were very spontaneous. The practice of graffiti was carried out by individuals based on their own decisions. These individuals were not organised, nor were they members of any political faction or a graffiti movement. The very first graffiti painters started to spray slogans on the camp walls already in the late '60s, inspired by the Algerian struggle.

The second generation is represented by Mohammad Allaham, a political activist, especially active during the First Intifada. Allaham describes how, during his active period, everything was organised and planned to the fine details: what to write, who should write it, and how they should write it.

He remembered how they used to go out at night with a group of young men mandated by political factions to write slogans. The one who supposedly had the most beautiful handwriting was the one entrusted to write the slogans, whereas the others were watching the surroundings or holding a light. Julie Peteet describes this act of spraying political slogans as a rite of passage in the young men's political socialisation (Peteet 1996). Indeed, this change to a more organised Palestinian graffiti scene in the First Intifada has contributed to its formation as a movement with particularly distinguished signs and codes. For example, at that time, political parties used particular colours to distinguish themselves from each other. The rise of graffiti as a movement is also linked to the lack of alternative means of communication to organise civil resistance during the First Intifada. Graffiti served as a medium and means to communicate and mobilise the resistance.

I (Tamara Abu Laban) remember in the First Intifada when I was very little (around 1992). I could read some words, I tried to read the logo of one of the political factions but I could not. So, I asked my mother about it and what it meant, it was the logo of the PFLP (Popular Front for the Liberation of Palestine),

in Arabic it is comprised of the two letters (Jim-Shin/ Jish) (جش) (Jabha Shabiya) and for a child, it does not make sense. In addition to the political slogans, Saddam Hussein was a prominent figure graffitied on the walls during the First Intifada. Indeed, the co-presence of the popular struggle in Palestine and the president of Iraq on the walls may appear strange for some. When I was small, I heard a lot about Saddam Hussein and his support to the Palestinian cause and Palestinians. His representation on the camp's walls is not unique, since acts of solidarity with the oppressed of those who supported Palestinians have always featured on the walls. When you are a victim living under occupation, experiencing injustice and everyday oppression, you feel pain, and you need to express it. People wanted to speak up about their situation and to thank those who supported them. This was their way to communicate, mobilise, express their opinions, and show gratitude.

Using the walls of the camp as a medium of communication was an important means for the Palestinians, who found themselves alone in the battle against the occupation forces. During the First Intifada in the late 1980s there was no social media, and the Israelis imposed censorship on Palestinian media. The walls of the camp are common property that served as a platform allowing people to connect and mobilise despite the curfew. But as Kareema Obeid mentioned in the documentary, in the '80s there were no paintings like today. During the First Intifada, people did not have the chance to express themselves easily since Israeli soldiers were everywhere—so the slogans and artwork has to be short and concise, and obviously completed very quickly.

The third-generation graffiti painters, active in the camp today, are (re) claiming the legacy of the First Intifada while freeing themselves from political factions. In a way, they are increasingly dissenting because they refuse to participate in political struggles, i.e., party-related struggles, favouring instead more comprehensive demands for liberation and justice. Nowadays, one can see bigger paintings than ever before on the camp's walls but the restrictions remain, although different in nature, since means of communication have changed with the rise of social media. Whereby in the recent past the walls of the camp were closely monitored for what they represent, today the walls of the social media hold similar representations. Today, for instance, any Palestinian—from a camp or even a citizen of Israel—that writes a post on Facebook that does not fit with Israeli policy may be jailed, or in less serious repercussions, Facebook will shut down their account. Thus, even if the graffiti looks larger than before, the restrictions on voice are still the same. In other words, even if the act of painting on walls is less dangerous than it used to be during the First Intifada—soldiers were often in and around the camp, which in turn was surrounded by a fence with only one access (check)point—one can still today be arrested for spreading slogans on the physical or virtual walls.

Ahmed Saleh is a part of this new generation; he also was the camera assistant on the set. He said that the paintings on the walls are a way to remember

the ones who lost their lives for the sake of their people. It is a way of documentation. I (Tamara Abu Laban) lived in the camp, and I never thought about graffiti this way, as a way to document the history of the camp. When we say this, "the history of the camp," it sounds inappropriate because the camp was built to be temporary and now it persists, and we can see that from the layers on the wall, which Clemence would call palimpsests (Lehec 2017). Having a lot of graffiti on the walls is particular to the camps. This kind of street art is very much connected with oppression, it is a medium for voices of political change, or expressions of community desire, and considered a form of collective expression that does not exist in settler societies. As I wrote before, "wherever there is a revolutionary spirit, there is graffiti" (Abu Laban 2013).

Making an interview documentary in Arabic was the first major choice we made in the process of making the film. Through the presentation of the interviews of one or several emblematic people of a particular moment in the Palestinian graffiti movement, we were able to give a global idea of its history. Now we would like to return to the use of two particular cinematographic techniques, which allowed us to coincide our perceptions of the camp within the visual restitution of its landscapes.

Depicting the camp with contradictory cinematographic temporalities: Traveling shots and jump cuts

After a week's filming in the Dheisheh camp, the footage was translated and a first cut was made from selected pieces of interviews. Two months later, Tamara came to Geneva to work on the editing of the film for two weeks. At this point in the film's conception, we had to make editing choices that were in line with our two points of view. Our two perspectives on the space of the camp are visible on the screen through the use of cinematographic techniques involving contradictory temporalities.

Tamara Abu Laban very quickly suggested, during the editing process, to use the jump cut technique. This technique involves editing several shots of the same sequence end to end, without transition, which creates temporal ellipses. The introductory sequence of the documentary, which shows graffiti artists painting, was edited this way. This technique can be found several times in the documentary, such as at the end of the first third of the documentary, when we see the sun setting over the Dheisheh camp. We particularly liked this technique because it brings dynamism to the editing by the temporal jumps it induces, which would not have appeared in the same way with a time-lapse, for example.

Right from the start, when we discussed our artistic intentions for the documentary, I told Tamara that I wanted to insert several traveling shots that would allow the audience to walk through the winding streets of the camp. So, we shot this kind of scene, using a steady-cam, while walking around the camp or filming the camp from Tamara's car. These shots were important to me in order to allow the audience to immerse themselves in the camp, as I had immersed myself in it by walking through its alleys. The camp is not a place where one walks easily, it is not a place one can visit on his/her own. Indeed, one will feel a stranger walking through the camp and moreover, it is not an easy place to discover because of its labyrinthine streets. So, it was a question of allowing the spectator of the film to benefit from this inside view.

Tamara and I made a choice to insert the first traveling shot in a short way from the eleventh minute. This traveling scene allowed us to make the transition between two generations of graffiti artists. It also served to build a new dynamic within the documentary, by integrating a new cinematographic language element, which was not present in the first third of the film. A second-long traveling shot was inserted at the twenty-sixth minute. This scene was thought of as a breathing space within the film. There is no dialogue throughout this sequence (made up of several traveling shots) and it is possible to hear footsteps. These were my (Clémence Lehec) footsteps, which indicated to Husam Al Khateeb (the sound engineer and the only one member of the crew who was not familiar with the camp), who at the time had taken the camera to shoot with me in pairs the alleyways, that I wanted us to stride along. This long sequence allowed us to make the transition between the *shuhada* theme and the border theme, which is addressed at the end of the documentary.

From a cinematographic writing point of view, this second traveling scene was conceived as a moment of transition towards a moment of reflection on the *shuhada* and death, before it proceeds with a reflection on the limits and boundaries of the camp. Juxtaposing these two themes result in creating a bond between the two. The link constructed within the documentary between the question of the potential death of graffiti artists and the question of borders corresponds to a rise in abstraction. It is then a question of staging the border of Damocles, even though its meaning is not made explicit or explained in the documentary, which was deliberately left free from a voice-over. The last traveling scene, which closes the film, meant to give the audience a moment of breathing.

These two contrasting temporalities, which are present in the editing through the techniques of jumpcuts and traveling shots, are emblematic of the differentiated relationship we have with the camp. Significantly, while Tamara has a broad knowledge of it, she proposed the technique of jumpcuts that creates ellipses and a certain dynamism on the screen. As for me, the traveling

shots became necessary to be able to show a slower time, which is the time of discovery.

The co-presence of these two cinematographic temporalities to reconstitute the space of the camp took place spontaneously during the editing work. Some other themes, however, gave rise to long discussions, such as the way to portray the *shuhada*, for example. This question is emblematic of the negotiation that took place between the two of us, in order to co-produce knowledge through this documentary.

Emblematic moment of negotiation: The *shuhada* question

Aysar Al Saifi and Mohamad Allaham (they are from two different generations) first engaged in graffiti after someone was killed in the camp by Israeli soldiers, as an act of expressing their anger and commemorating those who lost their lives for Palestine. The shuhada portraits, one of the most prominent themes on the camp walls, represents the idea that we will never forget those who lost their lives for Palestine. The Israeli occupation forces frequently invade Dheisheh camp. They kill, arrest, and injure people. I once heard a man saying that, a week after killing Moataz Zawahreh, the Israeli forces also shot at and destroyed the mural in his commemoration. They killed him and then they destroyed his memorial and memory.

The Palestinian graffiti movement is intimately linked to the *shuhada*, in the very form it takes, as well as in the motivation behind the painters' involvement in this practice. Indeed, the vast majority of the figurative murals on the walls of the camp represent the *shuhada*. In the interviews conducted, many of the graffiti artists shared that they in fact started painting after the death of one of their friends. In light of these observations, it was essential to give a specific place to this theme within the film.

That is why I (Clémence Lehec) shared my wish with Tamara already before the film was shot to have three particular sequences, two of which were thought out as a mirror image around the question of the *shuhada*. I wanted to create a parallel between two murals: one located at the entrance of the camp and showing the names of all the villages from which the inhabitants of Dheisheh come from, and the other one located in the heart of the camp showing a *shahid* surrounded by all the names of the *shuhada* from the camp. The visual litany created in those murals were captured by close-up shots taken with a steady-cam, which made it possible to scan these works in detail.

I would like to explain the construction of another sequence on the *shuhada*. Shot in close-up, it presents the eyes of several *shuhada* before ending on a

traveling shot which reveals a mural of several *shuhada* side by side, ending on a black silhouette in the centre where there is a question mark (Cf. picture) asking “who is next?”. The murals on the villages were filmed in a similar way, with a steady-cam, so it is through the visual grammar itself that the parallel is drawn between the two murals. All these artistic choices were guided by the reflections I had made during my Master’s degree, when I was doing the portrait of a Palestinian artist.

Picture 1: Tamara Abu Laban filming a mural representing shuhada.



Source: **authors**

These considerations of cinematographic choices should not obscure the fact that this sequence on the *shuhada* was the subject of an important debate between Tamara and myself, based on the anticipation of the meaning that it would be given by different audiences. In response to a scientific injunction, I took it upon myself to try to see clearly the definition that can be given of a *shahid* within the Palestinian population. After lengthy bibliographical research, I found this one: “The vagueness of the notion of ‘martyr’ in Palestinian society strangely places all the dead on the same level. Thus, one calls both the non-combatant civilian who has fallen under the bullets of Israeli soldiers and the suicide bomber who voluntarily takes his own life by inflicting it on others, ‘Shahid’” (Bucaille 2003, 119)⁸. This definition is indicative of the distancing of

⁸ Translation from the authors.

the religious element in the apprehension of this term within Palestinian society, since the latter has, before any other connotation, a nationalist dimension.

And indeed, before wondering about the way the *shuhada* theme will be put into images, we have already encountered a translation problem. The Arabic term *shahid* in the singular and *shuhada* in the plural, when translated by the term “martyr” in French or English (as it is the case in the film’s subtitles), refers directly to a religious imaginary. It is a practical concern that made us keep the term translated within the subtitles, but it was necessary to convey the idea that, within the Palestinian context, the understanding of the term *shahid* does not primarily appeal to a religious referent, but rather to a political and national referent. At the same time, it was necessary to find a way of bringing these elements to the screen that was not too didactic, since the film is also aimed at a Palestinian audience that is already familiar with the understanding of the term *shahid*. We would like to come back to this process.

During a first editing process, we had inserted a piece of cardboard stipulating Laetitia Bucaille’s definition in white on a black background. We left this element within the film for a while, even though Tamara was already telling me that she was not sure that this definition was the right one and that it might not be well received by the Palestinian audience. I was a little bit stuck by the scientific imperative and the double purpose of our film, which was to reach both Palestinian and foreign audiences. We finally made the decision to remove this definitional cardboard for two reasons. The first one is that I agreed with Tamara that I might not be able to assume the accuracy of this definition. The second, which is related to the first, is the didactic tone that the presence of this cardboard piece would have made us adopt in the film. Three context cards and a conclusion card already framed the documentary and I wanted to keep the meaning of the film open, in order to leave the freedom of interpretation to the viewer.

Apart from the removal of this cardboard, we also made a modification in the sound editing of the film. Indeed, the last part of the sequence dealing with the *shuhada* ends with the interview of Ahmed Saleh. At the time we recorded this interview, in the street, the call to prayer was resounding in the camp. Since the whole film, in its vast majority, only uses sound in (that is, sound recorded at the same time as the image), Tamara let the sound at the end of the interview close the sequence—that is, the call to prayer. From the point of view of a European audience, it seemed to me that ending this sequence in this way was tantamount to pointing out the religious character of the *shahid*, an element that my bibliographical research and my understanding of the phenomenon had indicated that it was not of primary importance. To use the original sound at that point was an appeal to a European audience, to an imagination charged with religious symbolism, which would most probably lead (all the more so in a French context) to the condemnation rather than to the understanding of a complex phenomenon rooted in a particular context of anti-colonial struggle.

Removing the definition on the one hand, and intervening on the sound on the other hand, were two key elements that allowed us both to be satisfied with the editing of this sequence. In addition to those negotiations, the debates over the use of “shocking images” were even more pronounced, which will be discussed in the next and final part.

Shocking images? For what purposes?

Filming in high quality gives an impression that the film is good, but personally I like to see videos shot with a hand camera, shaky and with low light, because I feel that the documentary is more real when people did not spend lots of time on a good location and good camera, etc. In the editing room, Clémence told me she had pictures she took at night with the young group paintings on the walls of the camp, and I said yes, why not, let's make a sequence with these photos.

To my point of view, it is not convincing in a movie to hear a story as a testimony—just a talking head—with no footage that can complete the cinematographic language. So, in many parts of our movie people describe the Israeli raids into the camp and how dangerous it can be, and the audience feels a need to see what this means visually. When Clémence told me that the scientific community or the European audience could think that the scenes showing those invasions were shocking, I told her: this is nothing compared to our lives, maybe they could be shocking for a European citizen but, and it is hard to say, we and our children are facing this shocking reality on an everyday basis.

Finally, I would like to come back to the reasons why we inserted, within the documentary, images of military invasion in the refugee camp filmed by Dheisheh inhabitants with mobile phones. We kept them in our movie despite the debates about the scientific character of such mobile phone images that have emerged within the scientific community to which I belonged, both about their provenance and use, in that their grammar supposedly convenes the militant repertoire. Indeed, the use of shocking images is widespread in the frame of a human rights advocacy perspective and in the media. The visual grammar of those two fields, theoretically, should not be imported to the scientific sphere, which has to adopt a critical posture. Nonetheless, it was important for Tamara to show images of the Israeli raids within the camp that illegally penetrate into the private space of the houses. I use the term “illegal” and “raid” deliberately, since the Dheisheh camp is located in an area theoretically entirely controlled by the Palestinian Authority (Area A), so the presence of Israeli soldiers in this area is considered to be illegal.

This approach is part of a broader perspective of documenting violations committed by the Israeli army, which is done by both Palestinian and Israeli activists, since the non-governmental organisation B'tselem, for example,

distributes cameras in the West Bank to enable residents to document these situations. It can also be found in Palestinian documentary cinema, as in the film *Five Broken Cameras* (Burnat and Davidi 2011). From this point of view, camera footage exposing Israeli practices and human rights violations may counter the imbalanced power relations between the settler and colonised, keeping the Israeli violence in check. The use of several languages in our documentary, in this case speech, through oral testimony and the visual, with the image, seems necessary for the construction of a statement that seeks to constitute evidence of its credibility. After many discussions, I realised that it is therefore common in Tamara's perspective to use this type of image, which are part of a militant approach inherent to the situation. It is precisely the use of these images as "evidence" that is problematic in the scientific process.

For my part, the prospect of using images deemed all the more "shocking" by a public that is not accustomed to this colonial situation has proved problematic. Indeed, from a scientific point of view, the use of this type of image that directly appeals to emotions may seem contradictory to the scientific approach and the demand for neutrality, which appears as an imperative even in the critical field of research when working on Palestine. Their controversial potential lies in the fact that they are images made with mobile phones, filming the military power of the occupier from afar or in "hidden" camera. The use to be made of the images in scientific work, since they are reputed to have greater manipulative power than text (Mitchell 1996), requires certain precautions. Providing evidence for an argument through images is a practice that should be mistrusted, all the more in the context of research that questions images because of the potential manipulation that can be made of and through these objects. Thus, using shocking images in a scientific documentary could be considered unnecessary to prove the veracity of the subject in question. Nevertheless, we wanted to keep these images, less to prove our argument than to show a reality that is often not relayed. This involved taking certain precautions.

In addition to the trust placed in Tamara, who collected these images from camp inhabitants and with a scientific approach, it was necessary for me to formally verify the source of these images by having the person who made them sign a contract stipulating that he or she was the author and agreed that we would broadcast them, in order to attest the source of these images. However, I have anonymised all sources in the credits, in order to protect him or her. Tamara and I discussed the usefulness of these images at length, and together we chose to include them in the documentary with the knowledge of the potential scientific controversy they could generate, also because they address the effects on the spectators in the first instance. I wish here to assume the contradiction in which these images seem to situate us, because it is also a question of undertaking collaborative research, which involves compromises and choices necessarily oriented by our different positions, views, and

perspectives on a situation. The existence of this contradiction within the documentary takes into account the asperities of collaboration, and the difficulties in constructing a discourse that addresses both people who live this situation on a daily basis and people who are very far from this context.

Conclusion

In conclusion, we would like to come back to this project of documentary co-realisation in the context of research—as a way of co-producing knowledge, but also as a way of building a common space, admittedly ephemeral, but that lasted at least the time of the research. This result is based on one main idea emanating from experimental geography, according to which any act of cultural or intellectual production is an act that produces space (Paglen 2008). The very form of the practice that is set up by artists or researchers thus participates in the creation of space. Most of the time, the space built by the research is not questioned in itself. In the frame of a geographical research project, we thought it was necessary to try to understand how space has been built throughout the whole project, since it is one of the results of the research that has been permitted by the use of visual methodology, i.e., documentary co-production.

This chapter, in itself, is a proof of the argument we are putting forward: academic writing as a sole result of research does not allow us to go to the end of the sharing process, as evidenced by the fact that the French researcher's words are more abundant here than those of the Palestinian filmmaker. On the other hand, the documentary film appears as a real possibility to share the construction of knowledge, by moving forward through compromises whose history, on the screen, fades away behind the common signature.

When the researcher goes to the field that he/she is studying, he/she always knows that he/she can leave it, unlike the respondents, especially Palestinian refugees who live under a military occupation that restricts their right to mobility (Romani 2016). This privilege should be taken into account and reflected upon when considering field research in a specific space and time, since it may influence the dynamics with interlocutors and the knowledge production process. Equally, it is important to recognise that all research constructs space and time, the form of which depends on the way in which the research is conducted. This is why—and even more important when conducting research in field of geography and, more specifically, on borders—it is obligatory to ask oneself about the specific space that the research design has produced.

While working together in Bethlehem for the shooting and in Geneva for the editing, we tried to balance our use of space to make it more fluid. Tamara

Abu Laban traveling to Geneva to work was a kind of border crossing, when you know that we are not subject to the same degree of frontier. That is to say that because of our nationalities, we both live different travel experiences, i.e., more or less fluid, fast, and expensive travel conditions and possibilities. From this point of view, the travel of a French citizen in the Israeli-Palestinian space is largely facilitated and does not require any prior steps, unlike the travel of the holder of a Palestinian identity paper in Europe, which requires prior steps—to take out insurance, to obtain (by paying for it and thanks to an invitation letter) a visa, to pass through Jordan to be able to reach an airport, etc. All these elements are part of a border system that is much more diffuse than material. It is this system, aimed at hindering the freedom of movement of the Palestinians, that we wanted to cross, allowing for a short period of time to make our journeys to find the common time needed to finalise the documentary movie.

Given the fact that the documentary is co-directed, we both share the same power over the film. In a way, where it is broadcasted and where we are sometimes invited to answer questions from the audience, it is the reopening of this common space that occurs each time. The testimony and the knowledge we bring on Palestinian graffiti is constantly subject to co-construction through our two voices.

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Chapter Seventeen

Reconnecting Intellectual Production and Activism: A Palestinian History

Mjriam Abu Samra and Luigi Achilli

Intellectual production has been a central element to the Palestinian struggle, yet the relation between Palestinian intellectuals and the resistance movement has undergone different transformations: this chapter examines the shift in the relation between Palestinian intellectual production and activism over the years. During the “golden age” of the PLO, intellectuals were integral to the movement, they were Gramsci’s “organic intellectuals” of the movement and articulated its revolutionary anti-colonial vision. Following the PLO political shift, from a revolutionary movement into a state-building apparatus, formalized by the Oslo Agreement, a technocratic approach prevailed over the intellectual production of the previous decades: Palestinian revolutionary scholarships remained isolated from the mainstream political space. In this chapter we argue that Palestinian new generation of intellectuals are attempting to reformulate strategies of mobilization based on anti-colonial and liberation frameworks breaking with the narrative and vision of a delegitimized leadership. They are investing in their “organic relations” with the Palestinian masses in an attempt to reconnect intellectual production to the political field.



Exit

2006 | Exhibited as photographic prints and as video art, Lambda print on diasec, 70 x 62 cm.

Source: **Steve Sabella**, <https://stevesabella.space/pages/exit>

Introduction

"[...] A commando who never fired a gun, whose weapon was a ball-point pen, and his arena the newspaper pages," wrote the Daily Stars for the obituary of Palestinian writer Ghassan Kanafani after he was killed with his niece by a car bomb placed by the Mossad¹ in July 1972 (Harlow 1996, 179). Forty years after his assassination, Kanafani remains one of the most relevant Palestinian intellectuals. His work is well known internationally, and his intellectual and political commitment remains a model for new Palestinian generations. Kanafani, however, was not alone in his role of "a commando who never fired a gun"—historically, the Palestinian movement invested in the "ball-point pen" as much as it invested in other strategies of resistance.

For decades, intellectual production has been a central element of the Palestinian struggle. During the "golden age" of the Organization for the Liberation of Palestine (PLO), intellectuals were integral to the movement; they understood their intellectual production and their political commitments as two faces of the same coin, two elements essential to one another. On their side, the Palestinian political leadership looked at intellectuals and their production as a fundamental asset of the movement. Cultural production was pivotal in documenting Palestinian history and disseminating it at the international level, contributing to the development of solidarity networks and cooperation with other movements. In an international landscape characterised by Third World solidarity, anti-imperialism, anti-war, and civil rights movements, the revolutionary discourse that informed Palestinian intellectual production contributed to positioning the Palestinian struggle at the core of internationalism and the struggle against oppression worldwide.² Ghassan Kanafani, Anis Sayegh, Mahmoud Darwish, Ibrahim Abu Lughod, and Edward Said are only some of the Palestinian intellectuals who contributed to the national movement's political development and the articulation of discourses and strategies of resistance. Yet not only individuals were at the forefront of Palestinian intellectual life: institutions such as the Palestinian Research Centre, the Palestine Film Institute, and the General Union of Palestinian Writers—to mention just a few—played a fundamental role by documenting Palestinian socio-political life and preserving cultural heritage under the PLO umbrella. The work of these institutions and individuals gave voice to the national ambitions of their people; they were the expression of their society.

We argue here that Palestinian intellectuals in the early stages of the national movement were Gramsci's "organic intellectuals": the "constructor, organiser, and permanent persuader [who] give it [its broader class] homogeneity and an awareness of its own function not only in the economic but

¹ Israeli intelligence agency.

² In 1975, for example, three years after his assassination, Kanafani posthumously received the Lotus Prize for Literature by the Afro-Asian Writer association along with Nigerian author Chinua Achebe. The award celebrated the Palestinian intellectual and its work as an icon of postcolonial culture (Radical Tea Towel 2018).

also in the social and political fields” (Gramsci 2014, 5). Palestinian intellectuals articulated the revolutionary anti-colonial vision of their national movement and broader society, and contributed to its international dissemination. Over the years, however, the relations between Palestinian intellectuals and the resistance movement had undergone a radical transformation. Following the PLO political shift from a revolutionary movement into a state-building apparatus, as formalised by the Oslo Agreement, a technocratic approach prevailed over the intellectual production of the previous decades. Intellectuals who supported the new discourses and strategies were integrated into the new socio-political elite that led the national project inaugurated by the Oslo process. Joseph Massad defined them as the “comprador intellectuals allied with the Palestinian comprador bourgeoisie” (Massad 1997). The Palestinian revolutionary scholarship that characterised PLO life in previous decades instead remained isolated from the mainstream political space and relegated to the role of dissident.

In this chapter, we look at the political trajectory that led to this transformation. In so doing, we first examine intellectuals’ political contributions to the movement in the aftermath of the Nakba and the “golden age” of PLO life. We then reflect on the process of marginalising revolutionary scholarship in the post-Oslo period. Building on this historical analysis, we also reflect on current Palestinian efforts to recreate spaces for radical scholarship within the Palestinian political arena. We also examine how the production of revolutionary literature and analysis is becoming a relevant element of Palestinian youth political mobilisation. Taking the Palestinian Youth Movement (PYM) as a case study, we look at how new Palestinian generations are attempting to reformulate strategies of mobilisation based on anti-colonial and liberation frameworks, breaking with the narrative and vision of a delegitimised leadership. In this sense, they draw inspiration from intellectuals of previous decades by investing in their “organic relations” with the Palestinian masses in an attempt to reconnect intellectual production to the political field.

Who is an intellectual?

“Robin Hood, some are likely to say”—so Edward Said commented on the role of intellectuals in the modern society in his 1993 Reich lecture (Said 1996, 22). The association with the hero of Sherwood Forest can be explained, according to Said, because the intellectual voices the grievances, ambitions, ideas, and opinions of those who cannot make themselves heard; to use Spivak’s words, of those who “cannot speak” (Spivak 2008).

The intellectual belongs on the same side with the weak and unrepresented [...] Yet it’s not that simple a role, and therefore cannot be easily dismissed as just so much romantic idealism. At bottom, the intellectual in my sense of the word is neither a pacifier nor a

consensus-builder, but someone whose whole being is staked on a critical sense, a sense of being unwilling to accept easy formulas, or ready-made clichés, or the smooth, ever-so-accommodating confirmations of what the powerful or conventional have to say, and what they do. Not just passively unwilling, but actively willing to say so in public. (Said 1996, 22)

Said identifies two important factors as central to the role of intellectuals: their ability to voice and represent an opinion in public and, by doing so, to confront the powerful elites. He insists on the necessity, for intellectuals, to question and challenge dogma and orthodoxy, and to raise embarrassing questions; in other words, to “speak truth to power” (Said 1996, 8). His intellectual is someone able “to represent all those people and issues who are routinely forgotten or swept under the rug” (Said 1996, 11). But what makes intellectuals able to voice and represent the ambitions, demands, opinions, and grievances of the forgotten? How can they be the voice of those who cannot speak, the subaltern? To answer these questions, we concur with those scholars in post-colonial and subaltern studies who have found Gramsci’s work inspiring in analysing the agency of subaltern people.³

In his Prisons Notebook no. 12, Gramsci states that

every social group, coming into existence on the original terrain of an essential function in the world of economic production, creates together with itself, organically, one or more strata of intellectuals which give it homogeneity and an awareness of its own function not only in the economic but also in the social and political fields. (Gramsci 2014, 6)

Gramsci here refers to the intellectuals as a “group” tied to the class it stems from by a specific—organic—relation (Olsaretti 2014, 369). Unlike traditional intellectuals, organic intellectuals are structurally connected to their class; they are the expression of the interests and ambitions of the class within which they originated. They articulate the socio-political interests, demands, and grievances of their class, formulating a homogeneous worldview for it (Baud, 3). Gramsci’s notion of *organicità*—that is, the organic relations between intellectuals and their class—is fundamental for understanding how intellectuals “can speak truth to power.” The intellectual is able to “represent” the forgotten and be their voice because of its *organicità*, or its connection to them. In his work on Gramsci’s thought, Olsaretti pointed out that the Italian philosopher understood the relationship between the intellectuals and the masses as mutually influencing and interactive: the masses and the social context have an impact on the production of ideas, theories, and analyses. This constant interaction and reciprocal influence between the intellectual and the masses, this *organicità*, allows intellectuals to represent and give voice to the masses. As Olsaretti put it: “The subaltern cannot speak themselves but do influence intellectual production, however, indirectly” (Olsaretti 2014, 372).

³ See Neelam, Srivastava, and Bhattacharya 2014.

While Gramsci grounded his analysis on the specific context of Western (particularly Italian) society at the beginning of the century, we argue that Gramsci's theorisation of organic intellectuals can be useful in understanding the role of the Palestinian intelligentsia in the national movement.⁴ In a passage of his *Prison Notebooks*, Gramsci clarifies the importance of the organic relation, the constant tie between the intellectuals and their people, the leaders and the masses. He points out that what makes the relation between the people and the intellectual politically meaningful is a "sentimental connection"—a nexus, a shared feeling that allows the relation to go beyond a "purely bureaucratic and formal order" (Gramsci 2014, 418). These are the communal feelings and passions that allow intellectuals (and the subaltern) to have an impact on history. As Gramsci notes,

if the relationship between intellectuals and people-nation, between the leaders and the led, the rulers and the ruled, is provided by an organic cohesion in which feeling-passion becomes understanding and thence knowledge (not mechanically but in a way that is alive), then and only then is the relationship one of representation. (Gramsci 2014, 418)

This passage provides an important framework for understanding the political significance of intellectuals in the Palestinian context. Here, Gramsci defines organic relations as based not only on shared interests, but also on the emotional bond between the leaders and the people. This shared feeling was at the basis of a relationship of representation between Palestinian masses and intellectuals.

Palestinian intellectuals shared with their society the same conditions, they experienced the Nakba and the socio-economic and political disruption it brought. Many of them were refugees who had witnessed first-hand the consequences of the Zionist colonial project. They experienced the feelings of loss, disenfranchisement, and disillusionment but also the anger, steadfastness, and hope that the Palestinian people had felt. Intellectuals put these feelings in poetry; in doing so, they re-elaborated them within their political meaning, looking at resistance within the broader framework of anti-colonial struggles. The symbols of Palestinian political and human plight—the refugee status, the rations cards, the camps, the UNRWA facilities, and so on—became the raw material through which intellectuals remoulded a national identity in the context of lasting dispossession. They connected their feelings, their poems, and their political analyses to that of other people, other causes, and other forms of oppression, supporting and contributing in this way to the articulation and dissemination of the revolutionary discourse of the national movement in the international scene. It is this shared experience that shaped the life of the whole Palestinian society, and this organic relation with their people that informed Palestinian intellectuals' role to "speak truth to power."

⁴ For an analysis of Gramsci's organic intellectual in the Palestinian context, see Abu Samra (forthcoming).

Palestinian intellectual production: From the Nakba to the “golden age” of the Palestinian movement

It was some time in the fifties that I started drawing on the walls of our camp. During that period, the refugees had begun to develop some political awareness as a reaction to what had been taking place in the region: a revolution in Egypt, a war of independence in Algeria, things were brewing all around the Arab world. My job I felt was to speak up for those people, my people who are in the camps, in Egypt, in Algeria, the simple Arabs all over the region who have very few outlets to express their points of view. I felt my job was to incite them. For the function of a political cartoonist, as I see it, is to provide a new vision. He is a missionary, in a sense, because it is just a little bit harder to censor a cartoon than an article. (al-Ali 2012)

Naji al-Ali, a Palestinian cartoonist killed in London in 1987, arguably remains one of the most famous artists in the Arab world. He began drawing in the 1950s, just a few years after the Nakba and long before the establishment of the PLO in the 1960s. Al-Ali started drawing to express a political message; to give voice, image, and form to the Arab masses' ambition to political change. He understood his role as that of a missionary with two goals: to inspire and incite ordinary people to oppose injustice and to give voice to the unheard, both within the Palestinian community and broader Arab society. Naji al-Ali and intellectuals like him played a crucial role in the political mobilisation and reorganisation of the masses by expressing their views, opinions, and feelings in decisive moments of Palestinian and Arab political history.

It is undeniable that intellectual production played a crucial role in the aftermath of the Nakba, when Palestinian society had to recover from the trauma of ethnic cleansing, dispossession, exile, and socio-political fragmentation engendered by the colonisation of Palestine and the establishment of Israel. Refugeeness, statelessness, and colonial oppression meant that Palestinians lacked social structures and political bodies that could represent and voice their political ambitions and demands. Ghassan Kanafani noticed how, under these singular conditions, intellectual production became a powerful form of expression through which to reaffirm and consolidate Palestinian existence. It is the reality of dispersion, dispossession, survival, and resistance that informed Palestinian literary production in the aftermath of the Nakba, inaugurating what Kanafani defined as resistance literature. In his study of Palestinian literary production under occupation, the Palestinian intellectual pointed out that the experience of exile shaped Palestinian literature and inaugurated a new movement that could be defined as “literature of Exile rather than Palestinian or refugee literature” (Kanafani 2016). This literature managed to give voice to people's national fervour and express the feelings of loss and sadness that characterised that period. Moreover, Kanafani, emphasised the central role of what

he calls the “literature of resistance” (*adab al-moqawama*), which celebrated the defiance and revolutionary spirit of those Palestinians who resisted and survived ethnic cleansing, remaining in their villages to become a discriminated minority in the newly established state of Israel. In all the different geographies in which Palestinians found themselves in the aftermath of the Nakba, intellectual production—in its several forms, such as poetry, cartoons, academic scholarships—was pivotal for expressing political ambitions and reaffirming Palestinian identity and the will to resist colonial oppression (Kanafani 2016).

In the context of anti-colonial resistance, Amílcar Cabral, the renowned African leader, made an important clarification that remains relevant for the Palestinian case. He explained that oppressed people’s cultural production should not be considered as separate from their political organising. He also warned against an understanding of culture *just* as a weapon, or as a tool of mobilisation for the struggle. Instead, Cabral argues, cultural production and politics are intrinsically tied.

The people are able to create and develop the liberation movement only because they have kept their culture alive and vigorous despite the relentless and organized repression of their cultural life; with their resistance at the political levels destroyed, they continue to resist culturally. This cultural resistance will at a certain point, determined by internal and external factors governing the development of the dominated society and its relations with the colonial power, assume new forms (political, economic, armed struggle) to directly challenge foreign domination. (Cabral 1977)

Cultural resistance is politics. Intellectual production is resistance. Palestinians were very aware of this fundamental assumption and the relevance of cultural expression and the intelligentsia’s work for the national movement.

As Kanafani aptly put it,

My political position springs from my being a novelist. In so far as I am concerned, politics and the novel are an indivisible case and I can categorically state that I became politically committed because I am a novelist, not the opposite. (Hajjar 1974)⁵

Again, the Palestinian writer’s words are particularly explicative, attesting to the symbiosis between politics and intellectual production in the Palestinian case.

The role of intellectuals remained prominent during the 1960s and 1970s, decades usually considered the “golden age” of the Palestinian revolution. Political engagement and intellectual production remained strongly interconnected inasmuch as the parties, the popular organisations, and the PLO—which were just emerging and imposing themselves on the regional and international scene as relevant political actors—encouraged and promoted cultural and academic works that were central in the articulation and dissemination of the Palestinian political vision and goals.

⁵ Quoted from the Kuwaiti newspaper *al-Siyasa* reproduced in Hajjar 1974.

It is particularly significant that, in the first half of the 1960s, the newly established General Union of Palestinian Students (GUPS)—the first popular organisation established at the transnational level in the aftermath of the Nakba, even before the PLO—consistently invested in the production of academic scholarship on the Palestinian struggle. They also produced posters and drawings aiming to raise awareness of the Palestinian question. The GUPS understood public intellectuals throughout the world as important interlocutors. In this context and already in 1965, the GUPS organised an international seminar—the first of this kind in Palestinian history—that was conceived as part of a “civic education campaign that aims at making all of us comprehend our issue objectively” (Abu Samra, 2021), and also as an important “debut” of the Palestinian question at the international level. Students invited politicians and intellectuals from all over the world, convinced that only by addressing both categories could the Palestinian voice be heard.⁶ Tayseer Quba’a, GUPS president at the time, explained that students were keen on delivering presentations and analysis that would articulate not only the political goals of the Palestinian people, but also the colonial nature of the Zionist project within the broader framework of imperialist practices in the Third World. During an interview held in Amman in 2012, Quba’a recounted how students relied on the support of Palestinian scholars:

I asked Sharif [Husseini, a member of GUPS] to go to Beirut and meet Walid Al Khaldi and Burhan Dajani, explain them the seminar’s idea and ask them to write the researches, as we didn’t want the seminar to be only speeches, [...] we didn’t want demagoguery. And there was no one else who could write academically but those two guys. (Abu Samra, 2021)

Walid al Khaldi and Burhan Dajani co-founded the Institute of Palestine Studies (established in 1963, a year before the PLO) and were among the most renowned intellectuals in the Arab region. They acknowledged the importance of supporting a collective project that would challenge the Israeli monopoly on the discourse and narrative of the Palestinian question and would “preserve, develop and disseminate” accurate knowledge on it (Institute for Palestine Studies, 1963). In the early 1960s, Palestinians were collectively reorganising their social and political structure, also by establishing academic and cultural centres that could facilitate and coordinate the preservation and production of Palestinian scholarship, literature, visual material, and any other form of expression that could contribute to recounting Palestinian history and “speak[ing] truth to power.” The establishment of the Palestinian Research Center in 1965, as well as the establishment of the Palestinian Film Institute in 1970 (just a few

⁶ Public discussions were attended by intellectuals and politicians, such as former British Minister of Planning Anthony Nutting; British author Ethel Mannin; British writer Nevill Barbour; former Indian Defence Minister Krishna Menon; French journalist Pierre Rossi; a delegate of the Front for the Liberation of South Vietnam; Mr. Qahtan Al Shaby, a representative of the National Front for the Liberation of occupied South Yemen; and Mr. Abu Bakr Hallem, a former director of the University of Karachi, a President of the General Students Federation in India, and member of the revolutionary movement in Colombia; and a representative of the Indonesian press (Abu Samra forthcoming).

years after the establishment of the PLO), should be placed precisely at the junction of intellectual production and politics.

Palestinian intellectuals' role in the national struggle was so powerful that Israel specifically targeted and eliminated many of them. In an attempt to silence Palestinian voices, Israel attacked intellectuals, focusing on their ability to articulate their struggle, to disseminate the historical truth on Israeli colonial project at the international level, and to challenge the Orientalist image of Palestinians and Arabs that dominated Western societies. Like Ghassan Kanafani, several thinkers, poets, academics were killed in the 1970s, in those "golden years" of the Palestinian revolution during which the PLO was finding its place among Third World liberation movements as an icon of anti-imperialist, anti-colonial struggle. Wael Zwaiter—a PLO representative in Italy who was well known not only for his political role, but also for translating *One Thousand and One Nights* into Italian for the first time and for his close friendship and cooperation with prominent Italian intellectuals—was killed in Rome in 1972. Kamal Nasser, a Palestinian poet and PLO official, was killed in 1973 in Beirut; that same year, Basel al-Kubaisi, a Palestinian scholar teaching International Law at the American University of Beirut, author of an in-depth analysis on Arab nationalism, and a Popular Front for the Liberation of Palestine representative, was also killed in Paris. This is only to mention a few of those intellectuals attacked by Israel; sadly, the list is much longer.

However, Israel not only feared intellectuals' contribution to the struggle in their individual or personal role and capacity—it also targeted institutions and collective efforts to produce and preserve knowledge about the Palestinian question. Several scholars have pointed out that the bombing, looting, and seizure of Palestinian archives, research centres, and cultural centres by Israel should be understood as part of a consistent strategy of colonial control integral to the Zionist settler colonial project in historical Palestine that aims at erasing Palestinian historiography.⁷ A case in point is the Palestinian Research Center. The Center, based in Beirut, was attacked and looted several times by Israeli forces during their 1982 invasion of Lebanon until it was blown up with a car bomb in 1983 and eventually closed. The Center's archive, seized by Israel, collected thousands of documents and books focusing on the Palestinian question and Arab-Israeli relations. Hana Suleiman, a Palestinian researcher, showed that, once stole by the colonial power, the Palestinian documents collected in the archive

come to serve the narrative of their captor. Upon creation, the documents in the PLO offices were intended to serve quotidian purposes. Once the Israeli army stole them, it extracted them from the domain of the PLO's administration and put them in the domain of Israel's narrative. The PLO documents could not fend for themselves; they could not curate themselves in order to serve a Palestinian narrative. (Sleiman 2016, 49)

⁷ See: Sela 2017b, Azoulay 2015, Jerusalem Quarterly 2001, and Sleiman 2016.

Along those lines, Israeli scholar Rona Sela documented Israeli's looting of Palestinian film archive that also happened during 1982 of Lebanon. She defined it as one of the "biggest act of plunder" (Sela 2017a, 1) implemented by Israel and pointed out how the seizure of intellectual and cultural production is a crucial strategy of control over Palestinian knowledge production and ability to recount history. Sela highlights how this process of cultural and intellectual erasing is also implemented through regulations and laws that prevent access to Palestinian archives and "conceal Palestinian historiography from the public sphere" (Sela 2017a, 85). We define this systematic attempt to erase and control Palestinian culture as "intellectual cleansing" and as part of the process of annihilation that informs the Zionist approach toward the Palestinians that aims at erasing, physically and symbolically, every single aspect of their existence: their identity, belonging, and connection to the land, to memory and, of course, to intellectual production.

Throughout the 1970s and 1980s, Israel's intellectual cleansing aimed at marginalising intellectuals, at challenging their role in the national movement, and at cutting their ties with broader Palestinian society. Intellectuals were the voice of the Palestinian masses; they narrated Palestinian history and made it visible or audible to the rest of the world. They were the organic intellectuals of their society, an expression of it, and integral to the national movement; they were often the spokespersons of different parties and organisations. They were freedom fighters who fought with pens, words, photographs, images, and academic articles. Yet, the political developments of the following decades marked a shift in the contribution of intellectuals to Palestinian politics.

The Oslo shift

"So first of all let us call the agreement by its real name: an instrument of Palestinian surrender, a Palestinian Versailles" (Said 1993). So wrote Edward Said, commenting on the Oslo Accords, the peace agreement signed between Israel and the PLO in September 1993. Today, 30 years later, there are no doubts that Said's words were prophetic. The Oslo Accords represented a capitulation for the Palestinian movement, a dramatic shift in the discourse and principles inspiring the struggle. While the potential establishment of a Palestinian state over just 22 percent of historical Palestine as envisaged at Oslo never concretised, the Israeli colonial project—through its apartheid system, discrimination against Palestinian citizens of Israel, the occupation and establishment of settlements in the West Bank, the total annihilation of the Gaza Strip, and the economic dependence it created over different areas of historic Palestine—continued mostly unchallenged by the international community. Yet, much more was lost with the Oslo Accords. With the signing of the Accords, the Palestinian leadership abandoned the historical demands for justice, liberation,

and return that had inspired the national struggle, instead surrendering to the language, framework, and strategies imposed by Israel. Distorted notions of “land for peace” and the “state-building process” became the new slogans that defined the Palestinian question (Abu Samra 2015).

Arguably, the signing of the Oslo Accords marked a turning point for the Palestinian movement. Ever since, Palestinian politics has precipitated into a still ongoing crisis. While the Palestinian Authority (PA) emerged as the body legitimised internationally, the PLO was marginalised and *de facto* became an empty shell, keeping the political ambitions of its people alive in a vacuum. This repositioning of the PLO, and its political and infrastructural transformation, brought about a general paralysis of strategies and grassroots mobilisation that has nourished the Palestinian leadership’s isolation from its popular constituencies and fed the disappointment and disillusionment of large sectors of Palestinian society.

In his analysis, Said insisted, “What is particularly mystifying is how so many Palestinian leaders and their intellectuals can persist in speaking of the agreement as a ‘victory’” (Said 1993). Said refers to those intellectuals linked to the Palestinian leadership, i.e., those intellectuals who supported and articulated the new framework crystallised by Oslo. Like the Oslo-leadership, these intellectuals were disconnected from the masses’ demands of liberation and espoused the new rhetoric of pragmatism and realism. Not everyone, however, followed this path. Said, who was an independent member of the Palestinian National Council (PNC), resigned after the PLO signed the Oslo Accords. Like Said, many other intellectuals who were PNC members resigned. Among them was also Salman Abu-Sitta, a Palestinian scholar known for producing a detailed map of historical Palestine to demonstrate the feasibility of the right of return. In his memoirs, Abu-Sitta recalled writing a letter to Arafat to express his disappointment with the Oslo Accords and the surrender of Palestinians’ inalienable rights. By the end of the letter, Abu-Sitta questioned Arafat’s legitimacy in signing the Accords:

You know, Abu Ammar, that Palestinians have never before signed any agreement, armistice, or any accord of any kind, in which they agreed to forfeit any part of their country or their rights. You cannot do this today under any pressure. (Abu-Sitta 2017, 299)

In his answer, Arafat defined the Accords as the right step towards achieving Palestinian self-determination in light of the regional and international political developments of the time. However, in his retelling of the exchange, Abu-Sitta bitterly noted that Arafat’s answer lacked any references to the right of return as one of the pivotal demands of the Palestinians and commented on the new climate that informed Palestinian politics: “‘Realism’ became the guiding mantra; ‘be realistic, we cannot beat Israel to deliver justice’ [argue the supporters of the Oslo Accords]” (Abu-Sitta 2017, 299).

The realism that ushered in the Oslo Accords led to a dramatic change in the role of intellectuals. Joseph Massad argues that the shift away from the anti-colonial principles that historically inspired the struggle and towards the “pragmatism” of Oslo brought about a parallel shift in the role and perception of intellectuals within the national movement. A large part of the intelligentsia—who, before the peace negotiations, criticised Israel and any compromising solution pushed by the United States—embraced realism in the new political context inaugurated by the Oslo Accords. Many intellectuals became

comprador intellectuals allied with the Palestinian comprador bourgeoisie. The arena in which these intellectuals are now active is no longer the one where the Palestinian people are defended against the unceasing onslaughts of their enemies, but rather, [...] the import/export sector where intellectuals can receive more benefits as participants in the New World Order’s international economy. (Massad 1997, 22)

In this context, the organic relationship between the intellectuals and the masses ceased to exist. This intelligentsia was now linked to a new political and economic class detached from the people, one that articulated the new interest of the Oslo elite. Unlike this class of “comprador intellectuals”, those voices that still championed the historical ambition of a “just solution” (al-Hūt and Makdisi 2011, 252) and denounced the political line of the leadership were marginalised and consigned “to the dustbin of history” (Massad 1997, 22).

In the Oslo context, the intellectual production legitimated by the Palestinian Authority was one that supported the new framework of an “acceptable solution” (al-Hūt and Makdisi 2011, 252), i.e., the two-state solution, to be achieved through pragmatic negotiations based on Palestinian concessions disregarding the colonial dynamics at the core of the struggle. What is left within the current structures of power is only a class of intellectuals who often, as Karma Nabulsi put it, “serves and voices the establishment rather than the people” (Nabulsi 2008). The revolutionary intellectual production that was the backbone of the Palestinian movement in previous decades has been marginalised in order to push forward a new rhetoric, a new articulation of the struggle that can be integrated into the Oslo political discourse and strategy. Revolutionary intellectuals have no space in the new Palestinian political landscape. Sleiman pointed out that this process of re-defining Palestinian principles and strategies also informed the PA’s attitude towards (what is left of) the Palestine Research Center Archive.⁸ Within the state-building framework, the PA has focused on a process of institutionalisation and bureaucratisation that completely neglects the pre-Oslo history of the movement, and aims at creating a state identity that does not reconcile with the revolutionary goals of the PLO in its golden age. The PA’s establishment of a new Palestinian archive—with no connection to

⁸ In a 1983 prisoner exchange, Israel returned to the PLO the Palestine Research Center’s archive that it had seized and sent it to Algeria. The archive is still kept in the Algerian desert. See Sleiman 2016 for further details.

and no intention of including the Palestine Research Center archive—aimed exactly at marginalising “the official records of the armed revolution from the ‘memory of the nation and state’” as it is now articulated and shaped by the Palestinian Authority (Sleiman 2016, 62).

However, these attempts have not gone unchallenged and Palestinian radical intellectuals, have kept looking for spaces and opportunities to keep voicing their people’s preferences reinforcing their organic relationship with the masses.

Reconnecting intellectual production and political engagement in the post-Oslo era

In his 1960 letter to the New Left, sociologist Charles Wright Mills argued:

... who is it that is getting fed up? Who is it that is getting disgusted with what Marx called ‘all the old crap’? Who is it that is thinking and acting in radical ways? All over the world – in the bloc, outside the bloc and in between – the answer’s the same: it is the young intelligentsia. (Mills 1960)

While Mills’ reflection was grounded in the analysis of the international political landscape in the 1960s, his words are also relevant to the contemporary Palestinian scene. It is the revolutionary intelligentsia—marginalised by the political establishment—that has attempted to voice people’s rejection of the status quo as institutionalised by the Oslo accords. The past decades have seen a proliferation of initiatives and projects led by intellectuals that aimed at challenging the pragmatic strategies of the Palestinian leadership, and at once again putting the anti-colonial framework that historically inspired the national movement at the core of the Palestinian question. In his memoirs, Abu-Sitta recounted several petitions and conferences that were organised by prominent Palestinian scholars in *shatat* since the late 1990s. Commenting on one of the first initiatives taken by Hisham Sharabi to mobilise people for reclaiming the right of return, Abu-Sitta argues:

He had good intentions and solid objectives. Coming from the United States, he underestimated the latent force remaining in the Palestinian factions, which carried the day through armed struggle in the 1970s and part of the 1980s. In the 1990s, their power had eroded, and with the exception of two or three groups, they were reduced to a small office and a small staff. Yet they were still capable of thwarting any initiative to mobilize people they did not control. (Abu-Sitta 2017, 302)

Marginalised by the establishment, radical intellectuals have struggled to find a political space in which to operate and make their voices heard. The fragmentation of the Palestinian political field, and the political control exercised by

the elite, has meant that revolutionary intellectual production often remained isolated and incapable of reinvigorating grassroots political organising.

In recent years, however, the younger Palestinian generation has attempted to find its own space in the political landscape in order to overcome the current paralysis, fragmentation and dark crisis that characterise Palestinian politics. Palestinian youth efforts to reformulate strategies of mobilisation based on anti-colonial and liberation frameworks have revitalised interest in the revolutionary intellectual productions of previous generations. In this sense, their grassroots commitment and organising go hand in hand with their intellectual production and contribution to the (re)articulation of the principles and strategies of the Palestinian struggle.

A case in point is the Palestinian Youth Movement (PYM), a movement established by Palestinian youth from the homeland and in *shatat*. Born in 2006 as the Palestinian Youth Network, it shifted in 2011 into a movement and took its current name. The movement aims at being a “space that brings together Palestinian youth from all over the world with diverse views and various political, cultural and social backgrounds in a collective process of decision making, assuming responsibility, and action” (PYM bylaws in Abu Samra and Qutami 2020). While the movement was born as a transnational project and had several branches in the Arab region, Europe, and the United States, the socio-political transformations at the Palestinian, Arab, and international levels of the past few years have impacted the movement’s ability to keep its transnational dimension. Without engaging in a detailed analysis of the PYM’s transnational trajectory, what should be noted here is that the movement’s branches in the Arab region, and then in Europe, “were deeply affected by the catastrophes that were brought on through the Arab Uprisings and demoralized by the way the liberatory moment was hijacked and co-opted by global, regional and national actors” (Abu Samra and Qutami 2020). The inability of the Arab and European branches to find strategies of mobilisation within the changing environment led to a paralysis of the transnational body. Since 2015, the PYM has been active only in the United States, where it has several chapters in different states. Yet, as the first successful attempt to re-create a space for Palestinian youth political engagement in the post-Oslo era, the PYM remains a powerful initiative that reveals the potential of new Palestinian generations in politics and their commitment to both grassroots, collective work and radical intellectual production.

Since its establishment, the PYM invested in the study and analysis of the history of the resistance movement and the literary and academic production of Palestinian intellectuals. Palestinian youth have been trying to revamp the radical and revolutionary analysis of previous decades, stimulating anew cultural and intellectual production. Through the years, the PYM runs several international summer schools and conferences during which the radical scholarship and texts of the previous decades are studied and discussed. Several

Palestinian (radical) intellectuals were invited and participated in PYM initiatives where they not only shared their own reflections and discussed their work, but also contributed to the collective articulation of analyses and vision that later contributed to the development of the movement's vision and strategies.

One such event, for example, was the Arab Youth for Dignity and Liberation Conference, organised by the PYM in December 2012, held in Tunisia in the context of the Arab Uprisings sparked in 2011. The conference brought together Arab youth from across the region to examine the relationship between Palestinian liberation and the Arab Uprisings. It was attended by intellectuals, such as Palestinian scholar and poet Tamim Barghouti, and politicians from the whole Arab region; particularly relevant was the presence of Tunisian President Mohamed Moncef Marzouki. The PYM produced booklets and organised workshops to discuss concepts such as colonialism, liberation, and resistance. In this sense, the conference resembled the 1965 GUPS international seminar that brought together leaders of liberation movements from across the world and was an important step towards the emergence of solidarity networks at the international level (Abu Samra and Qutami 2020).

Conferences were not the only instruments in the hands of the PYM. The movement has attempted to contribute to the historical tradition of radical intellectual production typical of the resistance movement by presenting new analyses addressing the new challenges that new generations have to confront. This effort has converged in the production of ten position papers analysing different dimensions of the struggle and offering a critical vision on how to engage with them.⁹ These elaborations are particularly relevant because they can be read as the intellectual effort, as the theoretical articulation that should guide political engagement and strategies of mobilisation at the grassroots level. More than positions, these papers offered ideas and principles, a lens through which to understand the Palestinian struggle in light of contemporary political reality. Along with the ten papers, the movement produced a political framework titled the *Until Return and Liberation Framework* meant to guide activities on the ground. In this sense, the PYM has understood its theoretical elaboration as integral to grassroots, collective work among the people.¹⁰

Through their work and their intellectual elaboration, the PYM sought and successfully managed to voice people's ambitions and challenge the post-Oslo dynamics. In doing so, they reinvigorate the relationship with broader society. In this sense, the movement does not differ from generations of Palestinian radical intellectuals that, marginalised from the mainstream political establishment, had kept expressing their criticisms of the Oslo project. However, because of the socio-political transformations that Oslo brought about—the rupture of the political field and the transformation of revolutionary bodies, spaces, and parties

⁹ a. Palestine and the Palestinians, b. youth, c. liberation, d. resistance, e. the PLO and PA, f. the Arab Dimension, g. the rights-based approach, h. solidarity, i. movement, and j. anti-colonialism.

¹⁰ For a thorough analysis of the PYM, see Qutami 2018a.

into bureaucratic institutions concerned with pragmatic strategies of state-building—radical intellectuals have never been able to impact political dynamics and prompt a long-term process of grassroots mobilisation able to challenge the status quo. In the post-Oslo environment, the link between radical intellectual production and political mobilisation on the ground was severed. Revolutionary scholarship and literature kept being disseminated but lacked strategies of implementation on the ground and remained, therefore, isolated. The PYM's important contribution should be analysed precisely in this context. For the first time since the rupture of the collective revolutionary project of national liberation engendered by Oslo, Palestinian youth understood their role as that of mobilisers—"constructor, organiser, and permanent persuader" to use Gramsci's words—of their society. The PYM's relevance resides in its capacity to frame intellectual production as intrinsically connected to political activism, grassroots mobilisation, concrete work, and presence on the ground. It is by combining these two elements that people have been able to make their voices heard again,

In 2013, the PYM published its first booklet for the 65th commemoration of the Nakba. This was the first collective publication where the experience of exile by the younger Palestinian generation was re-examined in its historical meaning, as well as in its contemporary relevance. Contributions included poems, poetry, academic analysis, and cartoons from several members of the movement. In the introduction to the booklet, Jennifer Mogannam, a scholar and PYM member, wrote:

In this booklet, you will find various articles by different PYM members that offer historical accounts of the Nakba and our history. The accounts touch upon some of the most critical issues that we face in our communities. These articles attempt to re-write our histories and how we understand them in addition to providing new frameworks for understanding the history that brought us to this present juncture. [...] While we remain critical of the various leaderships we currently have, and have encountered in our struggle and its history, there are certain historical practices that we can maintain or return to, use as a guideline for how to (or not to) move our struggle forward, in order to productively transcend the very contradictions we call into question. (Mogannam 2013)

The PYM understood intellectual production and its dissemination as fundamental in stimulating the political debate within Palestinian society and pushing for grassroots organising. Moreover, this production, the analyses, thoughts, reflections on the future are rooted in the history of the people and the resistance movement.

In this sense, intellectual production is a collective process that aims at changing the status quo, basing its strategies on earlier articulations of the struggle. By doing so, Palestinian youth position Palestinian history at the core of the analysis of contemporary dynamics; in the genealogies of the revolutionary movement, they find the roots of contemporary stories and experiences. Youth intellectual effort wants to reflect exactly on this intersection between the past

and the present, where contemporary understanding of identity, belonging, and resistance are rooted in the experience and work of previous generations of intellectuals and militants that were able to articulate strategies of liberation for the Palestinian people. At the same time, however, while emphasising the continuity with the Palestinian intellectual production of previous decades, the movement has also understood the necessity of re-elaborating these analyses in light of the different socio-political condition that characterise our time. PYM members' scholarship and analyses reflect this attention to historical continuities, but also to diversities that require the articulation of new theories and strategies. A case in point is the work produced by a former PYM general coordinator, Loubna Qutami. Her intellectual production stems from her political engagement with the movement, as her recent analysis of solidarity networks and the framework of apartheid in the Palestinian case shows.¹¹

Conclusion

In this chapter, we focused on the role of intellectuals and intellectual production in the Palestinian movement. We argued that the Palestinian intelligentsia has been a central element in the Palestinian struggle. In the aftermath of the Nakba and through the "golden age" of the Palestinian revolution, intellectuals were part and parcel of the movement: their intellectual production and their political commitment were intrinsically tied, they went hand in hand and were essential to one another. Intellectuals were integral to the movement and, we argued, they acted as Gramsci's organic intellectuals of their society.

Organicità—this shared experience and belonging of the intellectuals and their broader society—has informed the role of Palestinian intellectuals and made their contributions pivotal in the articulation of the revolutionary discourse and strategies of the national movement and the political leadership encouraged intellectual production. Palestinian intellectuals, as well as institutions such the Palestine Research Centre, were central in the international dissemination of the Palestinian movement's vision and discourses. However, the signing of the Oslo Accords crystallised a political shift of the PLO from a revolutionary movement to a quasi-state (under occupation and dependent on its coloniser) apparatus that impacted relations between Palestinian radical intellectuals and the political field. A class of "comprador intellectuals" colluded with the interests of the Oslo political elite, embracing the new discourses and rhetoric inaugurated by "peace negotiations" and legitimating them on the mainstream political scene. The revolutionary intellectuals that were the backbone of the resistance movement in its golden age, and that kept opposing the pragmatism and realism of Oslo, were marginalised, isolated from the mainstream political space, and relegated to the role of dissident.

¹¹ See Qutami 2014, Qutami 2018b, and Qutami 2020.

However, taking the PYM as a case study, we have argued that new generations of Palestinians are attempting to reinvigorate revolutionary intellectual production to again make it central to the articulation of the Palestinian struggle. By doing so, Palestinian youth are building on and giving new life to the organic relationship between the masses and the radical intelligentsia that articulates their political ambitions. Precisely, we have shown how the PYM's important contribution relies on its understanding of intellectual production as integral to grassroots organising. By combining these two elements, by re-connecting international production to the political field, people have been able to make their voices heard again.

Eventually, the PYM failed to translate its vision into a sustainable transnational project. Yet, the experience of the movement shows how younger Palestinian generations have increasingly come to see intellectual production as part and parcel of political organising. Loubna Qutami, a scholar and the previous PYM general coordinator, has commented on the movement's efforts to contribute to intellectual work in the current political environment:

We confronted dilemmas as transnational Palestinian youth in the (re)construction of a youth movement for the liberation of our homeland and people. But we are also still immersed in such a project today. While conditions are bleak, we value the ways in which we have succeeded in both resurrecting and re-negotiating the terms of Palestinian radical intellectual production based on the continuities we are piecing together across time (inter-generationally) and space (transnationally) through our practice in engaging and building a new movement for a new generation. This is how we resist erasure. (Qutami 2018c)

While the young intellectuals that joined the traditional parties and organizations, institutions and centers under the umbrella of the PLO hold on to the mainstream post-Oslo discourse, a new intelligentsia is emerging that aims at re-centralising the *organicità* with the people, at being the effective voice of the masses. It is hard to foresee whether these intellectuals will be eventually able to replace the old guard and reconnect political elites with the masses. The political potency of their actions rests on the capacity to bridge the gap between political action and intellectual production. If they hold steady, their actions will have dramatic transformative capacities in and beyond the Palestinian political scene.

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Section Five

Activism, Solidarity and the Struggle for Palestinian Rights

Chapter Eighteen

'In Gaza, there is no Tomorrow': Youth Participation in Gaza's Great March of Return

Caitlin Procter

The Great March of Return was described by many in Gaza at the time as the most important popular uprising and demonstration of resistance since the second intifada. Based on interviews conducted in Gaza in late 2018 and 2019, this chapter concentrates on the perspectives of young people from refugee communities who took part in the march. The voices in this chapter present a range of perspectives on the meaning of the march, showing that the march was not necessarily an all-consuming event for these young people but rather a form of action that took place against a backdrop of ongoing everyday life. I argue that attention to these differences in perspective is critical to maintaining collectivity within this struggle and demand for justice and freedom.



The Great March of Return

2019 | Light jet print mounted on matt diasec. 200 cm diameter. In the museum collection of The Arab World Institute in Paris, and the Contemporary Art Platform, Kuwait.

Source: **Steve Sabella**, <https://stevesabella.space/pages/the-great-march-of-return>

Introduction

Bilal was shrouded in heavy blankets, sitting up on a small single bed in the corner of the main room of his family home, in the northern town of Beit Hanoun in Gaza. It was February 2019, and the room was cold and sparse. Bilal's family home was badly damaged during a bombing in 2014 and, like many families in Gaza, theirs had only recently managed to secure enough funds to start re-building. Beaming down at him from the otherwise raw concrete walls were three enormous posters of his own face—a photo taken while he was a student at Al Aqsa University—offered as a gift from his friends to celebrate his safe return from the hospital. Sixteen operations had not managed to re-graft the 14cm of bone missing from his left leg, a result of being shot with an explosive bullet during Gaza's Great March of Return. Pulling the heavy blankets aside, he used both arms to try to lift his leg, covered from his upper thigh to the ankle in heavy pins. In two months he would need further surgery. Bilal was twenty-five years old. He had left school when he was 13 to start working at a fruit and vegetable stall in the market in Beit Hanoun. Several years ago, he took over managing the stall, ensuring a modest but regular salary with which he could help support his family. As we talked, Bilal rocked back and forth incessantly, holding his left leg. He had suffered nerve damage from his bullet wounds and was trying to stimulate any kind of feeling in his leg. He knew he would probably never walk again (Interview2019a).

The Gaza Strip has been under blockade since 2007, when Israel declared the enclave to be a "hostile territory" following a Hamas coup.¹ Under this blockade of air, land, and sea, life in Gaza has become increasingly stifling. While movement within the enclave is heavily surveilled and regulated through checkpoints primarily operated by Hamas and Islamic Jihad, freedom of movement beyond Gaza is almost exclusively prevented by the siege. Particularly relevant in this sense is the Coordination of Government Activities in the Territories (COGAT) – an administrative unit within the Israeli Military of Defense with a specific mandate to "implement the government's civilian policy within the territories of Judea and Samaria and toward the Gaza Strip."² Among its tasks, COGAT includes not only the policing of the movement of people in and out of Gaza, but also the entry and exit of all food and goods. This regulation has played a substantial role in the successful project of de-development in the Gaza Strip, which has slowly and systematically debased the possibility of an indigenous economy, eroding access to basic rights and needs among the population (Roy 2016). In 2015, the UN issued a report stating that Gaza would become "uninhabitable" by 2020 if the situation prevailing since the blockade began in 2007 continued (UNCTAD 2015). The report failed to compel the

¹ For a detailed history of Hamas's thirty-year transition from fringe military resistance to governance, see Baconi 2018.

² For further details, see: <http://www.cogat.mod.gov.il/en/about/Pages/default.aspx>.

international community to take substantive or meaningful action to address what has become a reality for the two million Palestinians locked inside the Gaza Strip. Access to clean water is almost non-existent, electricity hovers between six and eight hours a day in homes and workplaces throughout Gaza, and over a third of the population remains internally displaced since the 2014 Operation Protective Edge. At another level, the movement restrictions placed on Palestinians in Gaza by the siege make access to healthcare, education, and employment opportunities beyond Gaza—and the import of vital goods and resources—practically impossible.

It is in this context that a generation of Palestinians in Gaza has grown up through three Israeli military attacks, in 2008, 2012, and 2014. The latest of these attacks was the most devastating, lasting 51 days between 8 July and the 26 August 2014. In these attacks, 2,251 Palestinians were killed, a further 11,231 were injured (ten percent of whom now suffer a permanent disability), and 18,000 homes were severely damaged or destroyed. At the height of the onslaught, 500,000 Palestinians became internally displaced persons (IDPs); by the end of the war, 100,000 Palestinians were left displaced (OHCHR 2015). Six years later, 30,000 Palestinians remain internally displaced in the Gaza Strip. Demolished buildings and streets are found across Gaza, and constant Israeli surveillance drones buzz overhead day and night. Spilling out of the already densely populated refugee camps, many families live under makeshift structures on the beach and on small patches of agricultural land. Gaza sits on the brink of a major public health crisis, where only three percent of the fresh-water along this stretch of the Mediterranean meets World Health Organization standards (Rand 2018). Households receive a maximum of eight non-consistent hours of electricity a day, with many families receiving only three or four hours and relying on generators when they can afford to do so. After 12 years of the Israeli-Egyptian blockade, unemployment in Gaza is among the highest in the world (World Bank 2019) and, almost exclusively, the young people interviewed during my research were unemployed.

Under the blockade, leaving and returning to the Gaza Strip has become almost impossible, but movement restrictions in Gaza in fact long pre-date the Hamas takeover in 2007. Since the start of Israel's occupation of the West Bank and Gaza in 1967, Israeli policies have consistently limited the possibility of domestic economic development, as part of a bid to preclude the possibility of a Palestinian state (Roy 2016), within which movement restrictions have played a key role. Later, in June 1989, Israel introduced a card system to restrict the movement of Palestinians in Gaza, limiting the number of individuals who could leave the Gaza Strip. After the signing of the Oslo Accords in 1994, Israel built a barrier around Gaza. Although it was still possible to get in and out, this access was conditional on permits and the crossings would regularly close without warning, leaving Palestinians trapped on either side. The bombing of the airport and seaport in Gaza in 2001 intensified the need for

access to goods and materials, which was made possible by a tunnel network (managed by different political factions between Gaza and Egypt) that had existed infrastructurally since the early 1980s (Pelham 2011). After the Hamas takeover of the Gaza Strip in 2007, Hamas set about formalising the tunnel economy through the Tunnel Affairs Commission, regulating the movement of goods and people through tunnels. Although Israel made concerted efforts to disrupt the tunnel network in Operation Cast Lead (2008-2009), it was not until Operation Protective Edge in 2014 that the tunnel network was substantially destroyed and largely stopped being used for the movement of people. Palestinians in Gaza have been trapped under the Israeli-Egyptian blockade since 2007, living in what is widely referred to as the largest open-air prison in the world.

The march was a critical resurgence of collectivism in Gaza and was widely described as a unifying force, or as a political awakening among Palestinians living under a 13- year Israeli-Egyptian siege. This chapter presents an analysis of the perspectives of female and male Palestinian youth in Gaza who took part in the the Great March of Return between 2018 and 2019. While in many ways what they experienced and shared of their participation in the march was closely linked to the overarching politics of the right of return, in other ways their perspectives shed light on other kinds of struggle. With the exception of one scholarly piece (Dana 2020) on the march, the vast majority of discussion of the collection of events that took place over this period of time were documented by journalists, human rights organisations, and humanitarian (primarily medical) organisations. The violence of the march was indeed spectacular, and capturing the attention of the world's media was often described by young people as an important outcome. Yet the narratives emerging from this documentation of why so many chose to participate, and continued to participate, as the march progressed from something non-violent to something very dangerous have not yet been explored. Doing so in fact helps to move beyond the 'moment' of the march itself, to look at how the experience of 73 years of settler colonialism that has systematically denied the right of return to Palestinian refugees has manifested in the lives of young Palestinians in Gaza.

This chapter draws from ethnographic fieldwork that I conducted in Gaza over a ten-month period between 2018 and 2019. The main focus of my research at the time was on the politics surrounding irregular mobility from Gaza, which was a study primarily undertaken with youth in refugee communities around Gaza. The Great March of Return was ongoing throughout this period of fieldwork. Although it was not the focus of my research during this time, all of the young people I came to meet in Gaza had joined the march in some capacity: to actively demonstrate, to bring food and water to the demonstrators, to cover the march as a journalist or photographer, as medics or paramedical volunteers, as taxi or bus drivers taking people to and from the march, or just to see what was happening. In addition to my other research, I

conducted 42 interviews with young people about the march and their participation in it, people that I had already come to know through my existing work in Gaza, or who were friends or family members of these interlocutors. These interviewees were aged 15-30, and the majority of them lived in refugee camps across Gaza—primarily in Khan Younis, Nusierat, Jabalia, and al Shati. Interviews were conducted in Arabic and English, and many of these interviews were undertaken with the support of a research assistant who has requested to remain anonymous. These interviews were generally carried out in people's homes, in community centres, or in quiet public spaces—most often, along the seafront. As with any research in Gaza, interviewees were very cautious about where they felt able to speak candidly, without being overheard or recorded. Many interviews were not orally recorded, but instead recorded with extensive notes.

The Great March of Return

On 7 January 2018, a Palestinian intellectual, journalist, and activist in Gaza, Ahmad Abu Artema wrote the following post on Facebook, which is widely considered to have been the spark that led to the unfolding of the Great March of Return several months later:

What if 200,000 demonstrators accompanied by international media marched peacefully and breached the barbed wire fence east of Gaza to enter a few kilometers of our occupied land, carrying Palestinian flags and keys of return? What if they erected tents on the inside, established a tent city there, which they called *Bab al-Shams*, and were then joined by thousands of Palestinians from *al-dakhil*, and insisted on peacefully remaining there without resorting to any form of violence?

What could the occupation, bristling with arms do to a mass of humans advancing peacefully? Kill ten of them, twenty, or fifty? And then what? What could it do in the face of an unwavering mass peacefully marching? [We are] a people who want life and nothing more. Nothing can delay this idea but the shackles of our self-delusions. We are dying in this tiny besieged place, so why not bolt before the knife reaches our throats? Since they are plotting to kick us south after slaughtering us wholesale, why don't we preempt them and begin to run north?

If there must be a price to pay, then let it be in the direction of what is right, in the direction of returning to Palestine, where we can get new land and deepen the enemy's existential impasse. Once we implement this idea and achieve a historic breakthrough, we'll find out that we've wasted many years on hesitation and forbearance.

Revolt! You have nothing to lose but your chains. #Great_March_of_Return.
(Abusalim 2020)

This call was not the first of its kind but held a particular resonance at this time because of the political manoeuvres simultaneously taking place across Palestine, combined with the continually deteriorating living conditions across Gaza (Abusalim 2020). The origins of the march emerged within a framework of

political developments throughout Palestine orchestrated by the United States (US) Administration following the so-called “deal of the century.” In December 2017, President Donald Trump announced that Jerusalem would be considered as the capital of Israel (The White House 2017). Two weeks later, he proceeded to cut US funding to the United Nations Relief and Works Agency (UNRWA) by 50 percent (United Nations 2018). The great march of return began on Land Day, 30 March 2018, a date commemorating the 1976 protest against land expropriation during which Israeli police and soldiers opened fire on Palestinian citizens of Israel, six of whom were killed. The march was initially organised through social media as a peaceful demonstration to which families came to participate with their children, sharing picnics and barbeques. It took place on what is referred to as the “fence” that separates the Gaza Strip from Israel: a fence which is made up of barbed wire and a one-kilometre buffer zone, punctuated by a system of surveillance towers. Tens of thousands of people, with diverse ideological backgrounds and political affiliations stood together, holding banners and flags bearing the names of the villages and towns from which their families had been ethnically cleansed in historic Palestine in 1948. The march was planned to last only until 15 May, marking the most important historic anniversary in the Palestinian calendar: the 70th anniversary of the Nakba (catastrophe), which saw the ethnic cleansing of more than 700,000 Palestinians from their land in order to make way for the newly created state of Israel.

Buses were provided to collect people after Friday prayers and take them to the fence where a number of camps were established, from which food, drinks, and objects to be used during the protest were prepared and distributed. As time went on, the demonstrations became more structured and eventually organised by a “Higher National Committee” whose members included civil society, cultural and social organisations, student unions, women’s groups, and representatives of several political parties. As thousands marched, some with flags, others with slingshots, the air was filled with the sounds and smells of exploding tear gas canisters and explosive bullets fired by the Israeli Defense Forces (IDF), sometimes mingled with the sound of an ice cream truck moving between the different Palestinian camps. What started in the first few weeks as an event attended by families including young children bringing picnics and sharing songs and small theatre performances quickly became bloody.

According to Médecins Sans Frontières (MSF) (2020), during the first protest in November 2019 more than 35,600 demonstrators were injured, 7,996 with live ammunition—of whom Bilal was one. From the outset of the march, the IDF responded to those participating in the peaceful demonstration with both rubber and live bullets. Although the numbers participating in the march reduced after the brutal response of the Israeli military became apparent, demonstrations continued every Friday until late 2019. During this period, a staggering 36,143 Palestinians were injured. It is difficult to speak of the march in the past tense, as it never officially concluded. It is somewhat

chilling to remember leaving Gaza one Thursday through the Erez crossing in May 2019, when there was a huge hold up because of the quantity of international correspondents leaving Gaza declaring that the Great March of Return was “over now”—certainly after mid-2019, the world’s media had turned their attention elsewhere. At the time of writing, there are still protests along the fence, although these tend to be smaller in scale and far less frequent.

From the outset of the march, the IDF responded to those participating in the peaceful demonstration with both rubber and live bullets. On 14 May, as the US opened their embassy in Jerusalem, the march resulted in the deadliest events on record in Gaza since 2014, with 60 Palestinians killed and 2,200 Palestinians injured. Although the numbers participating in the march reduced after the brutal response of the Israeli military became apparent, demonstrations continued every Friday until late 2019. Every Friday the health system in Gaza would be on high alert, waiting for the cases to roll in. Interspersed among the ad hoc tents set up to provide refreshments and demonstration materials were emergency medical points, run by the Palestinian Red Crescent Society, ready to triage the injuries that were sure to arrive. What started in the first few weeks as a family friendly event quickly became bloody. Every Friday, the health system in Gaza would be on high alert, waiting for the cases to roll in. The Office of the High Commissioner of Human Rights established a Commission of Inquiry into the Great March of Return. On 18 May 2018, the Human Rights Council adopted a resolution (S-28/1) in which it decided to urgently dispatch an independent, international commission of inquiry to investigate all alleged violations and abuses of international humanitarian law and international human rights law in the context of the military assaults on the large-scale civilian protests that began on 30 March 2018. The Commission found “reasonable grounds to believe that during these weekly demonstrations, the IDF killed and gravely injured civilians who were neither participating directly in hostilities nor posing an imminent threat to life” (UNHRC 2019). Among those shot were children, paramedics, journalists, and persons with disabilities. The Commission found that the use of lethal force in response was rarely necessary or proportionate, and that the IDF violated international human rights law in most instances the Commission investigated.

Tangible claims within a political awakening

Doa’a was a young woman in her early twenties, who spent her days working in an embroidery cooperative in the refugee camp where she lived. She only got paid when her pieces sold—but she was glad to have a reason to be out of the house and spending time with other women at the cooperative, many of whom were the same age as her. Doa’a had been taking part in the march almost every Friday for the past year when we met. When the march

first began, she joined her colleagues from the cooperative in preparing food on Friday mornings to take with them to the march, which they served in one of the tents affiliated with a women's association from the refugee camp. This was one of many tents, hosted among others by civil society organisations, human rights organisations, labour unions, refugee committees and political parties, pitched along the fence and providing food, drinks, spaces for people to meet and talk, and activities for children:

For me the march isn't about politics, its more emotional than that. It's about living in dignity. It's about raising our voices, showing the world we are still here, and that yes, we are this desperate for a change that we will protest in this way against the strongest army in the world. We have nothing here – nothing to do, nothing to unite us, nothing to focus on – barely anyone has a job, it is becoming impossible to get married, and there is no money for anything. The march gives us something to talk about, something to do. (Interview 2019b)

As our conversation continued, Doa'a explained that she didn't necessarily expect tangible changes as a result of the march. After a year, the only change she could point to was a slight increase in electricity. While this was to be celebrated, she immediately pointed out that a side effect was that a number of her friends chose not to join the march anymore, instead preferring to stay at home on Fridays and make the most of the power to study, or to catch up with friends online. "If you don't think anything will change, then why continue to risk your life to participate," I asked. "If you're young in Gaza, you have three choices: you wait to be killed by an air strike, you try to escape and probably die trying, or you try to change the situation here. And maybe you die trying to make a change, but you're going to die anyway, so what difference does it make? In Gaza, there is no tomorrow" (Interview 2019b).

In discussing the march with young people who took part, a number of narratives began to emerge that jarred somewhat with the overarching political statements about the march of return. While some, like Doa'a, framed the march in terms of a political awakening, particularly among youth in Gaza, many others saw it in more practical terms. Few saw a possibility that such a movement could lead to any lasting, meaningful political change. The individuals whose voices and experiences represent the core narratives that emerged throughout these interviews; namely, the experience of boredom in Gaza, and the march providing something to do; the hope that the march could lead to concessions regarding the amount of materials permitted to enter Gaza, and therefore creating more jobs; the belief that injuries from the march would equate to much-needed financial support; and decisions to stop participating because the risks outweighed the potential gains. It is critical to stress that these motivations were intricately bound up in individual narratives and personal histories. The intention here is not to propose a one-dimensional lens through which to understand youth participation in the march—these narratives were also gathered at particular moments in time, with perspectives always contingent on

specific sets of circumstances. What was striking throughout these interviews, however, was the strength of alternative explanations of motivation and participation in the march, which clashed with the overarching meta-narrative of the march. Engagement with these explanations, I suggest, helps to move beyond the 'moment' of the march itself, to look instead at how the experience of 73 years of settler colonialism that has systematically denied the right of return to Palestinian refugees has manifested in the lives of young Palestinians in Gaza.

Mohammed, Ibrahim, Saleh, Said, and Ahmad were brothers in their early to mid-twenties living in the same home in Nusierat refugee camp. The all participated in the march every Friday for over a year and had no intention of stopping. From their perspective, participation was not about asking for liberation, the right of return for Palestinian refugees, or even lifting the blockade on Gaza. What they were demanding through their participation in the march was more limited than that: they wanted more goods allowed to pass in and out of Gaza to create more jobs. The bigger political ideas behind the march had always seemed unattainable. Instead, the brothers agreed that they thought the march was a good opportunity to put pressure on Israel, and they hoped the result of this would be a slight easing of the restrictions imposed by the blockade. Saleh explained:

The march is *al-fadi* (in vain), the situation is only getting worse – we know that. We also don't need to end the siege – the siege will never end, we know that too. We just need the borders to be open for more materials to come into Gaza. If we can have some more jobs in construction, then this is what will improve our lives for the future. (Interview 2019f)

Aged between 19 and 28, all five of them had been working in construction since they were teenagers. Construction is a key industry in Gaza, and a primary source of employment among male youth even though the work itself is highly irregular. As a result of the march, all five of the brothers had sustained injuries leaving them unable to walk without crutches. Mohammed had his right leg amputated after he was shot on 15 May; Ibrahim had undergone 16 operations to try and reconstruct the missing 12 cm of bone in his left leg; Said sustained nerve damage from his thigh downwards, leaving no feeling in his foot; Saleh had undergone five operations to try and reconstruct his knee cap; and Ahmed had both legs in pins. As we spoke at their home in Rafah, their mother lingered by the door to the kitchen, bringing trays of drinks and snacks in and out. All but one of her sons were married with children, and now they were all living under one roof as she tried to support them. Small financial support grants from Qatar in the immediate aftermath of their injuries had helped to pay the rent for a few months, but now this money had dried up. The brothers joked at the irony that they took part in the march fundamentally because they thought it could lead to future work opportunities. Now with their injuries, they knew they would be unlikely to work again.

Alongside the idea that the march could lead to some easing of the blockade, which might allow the creation of more jobs in Gaza, others—particularly younger adolescents—were convinced that financial incentives would be offered if they were injured, and that this was a way through which they could support their families. Rami, Ahmad, and Ibrahim were friends from school in the Al-Shati refugee camp. Now in their early twenties, they had all left school at 13, and had been working a variety of jobs in Gaza city to support their families. Rami worked in construction, when he could find opportunities to do so. Ahmad spent the summer months walking up and down the beach in Gaza city selling sweetcorn, and the winters selling sandwiches outside one of the universities. Ibrahim drove a small donkey and cart, sometimes alone and sometimes with his uncle, selling vegetables and fruit in the east of Gaza city. All three had sustained serious injuries from being shot in the legs during the march. Rami was shot in both legs with explosive bullets. He still had pieces of shrapnel wedged into his left leg, even though he had undergone three operations, including one in Egypt for which he received money from the Ministry of Health. Ahmed was barely able to walk because of his injuries, his friends supporting him on both sides to help him sit down and stand up. Ibrahim was awaiting nerve surgery on his leg in Turkey, having regular physiotherapy in the meantime.

The three friends began participating in the march long before it became 'official' and countered the prominence that Abu Artema's Facebook post had been given for being the 'start' of the march. Whenever we spoke about the march, they debated between themselves their reasons for still participating, in spite of their injuries. Rami explained:

We've been going to the fence for ages – we used to go on Tuesdays and on Fridays, we've been there for months, since long before everyone else started marching. Then suddenly everyone else wanted to go to, and they made it something more political. To be honest, here in Gaza there is really not very much to do, in the evenings, if you are not working...life is very boring day to day. And so going to the fence was something to do. It just became a habit to go there, for me, *ya'ani 'aadi*, when we used to go I never really thought of it as something political – its just what you do. This is not something political, it is what we did because, well, we just did it, it is an ordinary thing to do. (Interview 2019d)

Rami had recently returned from Egypt and was on a waiting list to travel again to receive further surgery, but he was not optimistic that this would happen soon. He had waited six months the first time. When he was working, he had been able to earn around 60 shekels (around 13 Euros) per day, although there were usually only a handful of workdays each month. He said that he was certain never to work again in construction, even if the surgery went well and managed to remove all the shrapnel from his leg. Ibrahim was less convinced by his friend's narrative about going to the march only out of boredom:

It's not just that...it is for something bigger, but...how can I put it. Maybe, day by day, one day it will lead us somewhere different. Like it did with Jerusalem [referencing the protests that led to the dismantling of security gates around the entrance to Al Aqsa several months earlier]. But I agree, there is nothing to do here – and all our friends are there. I don't really have expectations that this thing will change our lives. (Interview 2019d)

Ahmad had spent most of the last ten years working with his father, selling sweetcorn on the corniche along the sea front in Gaza. In the summer of 2018, he was shot in the leg, sending shrapnel through his thigh that remains there to this day. Limping clumsily in his loose tracksuit bottoms and sandals, we sat on plastic chairs outside his family home in al-Shati refugee camp on the edge of Gaza city. He had just returned from Egypt, where he had travelled for surgery promised by a charitable foundation. After four months waiting, the operation still had not taken place, and his family had run out of money to support him. He had been making a living selling corn before the injury, with which he was able to support his family. His injury meant that he could no longer stand or walk around to deal with customers, and now his family were struggling to pay their rent. But for Ahmad, his injury was not severe enough:

There are so many injuries now from the march, that you only get financial support if you're one of the worst cases. So I'm going back to the March on Friday. (Interview 2019c)

An amputation, he reasoned, might lead to more financial support. Ahmed understood that if he sustained an injury leading to amputation or paralysis, then he would be eligible to receive up to 1,200 shekels (around 300 Euros) a month from Hamas. He was certain that some other people in his community were receiving this amount, and since he thought he would be unlikely to be able to financially support his family again anyway, this seemed to him the only solution.

As much as these everyday struggles shaped decisions to participate, they also shaped decisions not to do so. Indeed, living in extreme precarity is not systematically synonymous with an absence of personal projects, and among several interlocutors I interviewed, taking part in the march was seen as disrupting those. Abdullah was a qualified social worker with a master's degree, who had only managed to find occasional work as a taxi driver since graduating five years earlier. More of his friends than he could count were now living with a serious injury, having lost a leg, or the ability to walk, or sustained serious damage to their internal organs that meant they were largely bed-bound. As a taxi driver in the Khan Younis refugee camp where he lived, he made seven shekels (around €1.50) on a good day. This was just enough to buy bread for the family, and sometimes a sweet treat for one of his younger siblings:

I've supported Hamas my whole life, but there is no goal with this march – they're using it only as a tool to divert attention from the internal crisis in Gaza. If people were not marching on the border, they would be marching in the streets demanding their salaries, better services, more electricity. The march is a tactic for diverting the attention of the people. It doesn't mean I don't believe in the right of return – of course I do – of course this is what everyone in Gaza dreams of. I just don't believe our leaders have any real investment in this idea anymore. They only want to retain their own power in Gaza, and we are just the pawns in this game. (Interview 2019b)

Instead of risking an injury that seemed to him an inevitability if he participated, Abdullah turned his energies to trying to securing any regular form of employment. He told me that he had just applied for a job as a guard for an organisation working in the camp—a job requiring no prior qualifications or training. More than 500 people in the camp had applied for the role.

Abdullah's anger towards Hamas' involvement in the march was echoed in different ways by many other young people. Rana was an activist in her early 20s, who had been involved in organising drama activities for children along the fence during the early weeks of the March. Once Hamas began to speak of the march however, she stopped joining on Fridays:

I saw them at the march from the start, there were a lot of Hamas and Islamic Jihad affiliates there from the beginning – but they were never the ones 'doing the work' – they were never the ones going to the fence. The opposite! The politicians were the ones hiding away behind the smoke from the burning tyres! It was like a shield for them. The people actually at the fence are not political people at all – they are people with no money and no hope. (Interview 2019e)

In comments echoed by many young people, Rana suggested that what the march had really achieved was a great benefit to Hamas, by distracting people from the reality of their everyday lives. Meanwhile people were severely injured, and whatever limited compensation money was made available would surely never be enough to make up for the increased unemployment that would come as a result.

Towards the summer of 2019, I met with Doa'a again. Several months into the march, her brother had been shot in the leg with an explosive bullet, which shattered 12cm of bone, requiring multiple rounds of surgery and metal plates to hold it together. Doa'a had stopped working at the cooperative in order to care for him, although this meant her family now had no income at all. Her brother could no longer work because of his injury, and her father had long been unemployed. Her brother continued to attend the march with their father most Fridays, although Doa'a rarely joined them anymore:

The march now is *al fadi* [she describes it as meaningless in contrast to how it was at the beginning]. The only thing it achieved was debilitating the potential workers among Gaza's youth. Now there is even more pressure at home than there was before – because

we have even less money, and more care responsibilities. My mother is exhausted, I'm exhausted. To be honest, sometimes I still go to the march but only to accompany my brother because he wants to go. If we have electricity at home on a Friday, I prefer to rest and talk to my friends on Instagram and Tiktok. (Interview 2019g)

A march for return, a march for dignity

Whabe's (2020) recent work on the politics of *karameh* (dignity) establishes a fresh lens to approach actions and decisions that are rooted in resistance to the Israeli state, and to analyse narratives that fundamentally revolve around the question inherent for Palestinians living through a settler colonial project seeking their erasure: how do we uphold dignity for ourselves and our community in the face of abject violence, dehumanisation, and humiliation? (Whabe 2020, 336). This approach is useful here because it also creates space for understanding the many other lenses through which young people engaged in the march, encompassed by the right of return but broken down into more tangible claims linked to everyday struggles to live in dignity. As in any protest movement, motivations for participation are embedded in diverse social and economic needs. By looking from above, protest movements might appear to be set or determined entities, consciously striving and mobilising to obtain a specific goal—but in reality, they seldom are. Often, participation wavers and people's aspirations are more modest than those of the movements' slogans. What we can see by analysing youth participation in the Great March of Return is that many of these young people explicitly linked their participation to the everyday struggles that more immediately preoccupied them: things to do, ways to spend time, access to employment, and how to economically support their families. As Wright (2018) argues, certain kinds of protest may be easily recognisable, made up of individuals engaged in a particular moment of struggle—a form of activism. But while it is critical of course to follow the complexities and dilemmas of these clearly "political" engagements in moments of protest, it is also critical to focus on the everyday that takes place around them: in people's leisure spaces, in time with friends and family, and in the banal forms of action and communication that constitute the often invisible backdrop to what we generally recognise as activism.

Understanding events, protests, and social movements ethnographically have the potential to go in a number of directions. Anthropologists have long studied protests, either with the aim of using them as a lens to study society at large, or to independently instigate social transformations (Kapferer 2015). Other ethnographies, particularly in the Middle East, have focussed more on the performative aesthetics of protests, including songs, videos, images, and discussion of performative violence—both among protestors, and those involved in documenting protests (Spellman et al 2014). The Great March of Return was characterised by the spectacular juxtaposition of a peaceful march

by Palestinians in Gaza with the gunfire of the Israeli military. Participation in the march was overtly framed within Palestinian political discourse, by Palestinian and international media, and by civil society organisations in Gaza as the praxis of resistance. The goals of the march were explicit from the organisers' perspective, and this was certainly an objective shared by many young people participating. For others, as the brutal Israeli military response to the march became apparent, the decision around whether or not they could or should take part were bound up in a complex network constituting their individual and collective identities. This is precisely the contribution of the ethnographic study of social movements, in taking analysis directly to the sites of individual and community perceptions, in order to understand the considerations, doubts, aspirations, and meaning-giving both of those who participate and those who do not (Salman and Assies 2017). This establishes a space for understanding how individuals manage to produce other knowledges and practices, away from the spectacle of violence that characterises protest (Maruquez 2020). In this case, it creates an opportunity to consider how the fundamental denial of rights to Palestinians in Gaza has manifested in the experiences of youth growing up under blockade, which is a key tool within the Israeli state's settler colonial project. From the narratives presented by these young people who took part in the march, it seems clear that, while the political engineering of the Israeli settler colonial state project has created a social condition of precarity for Palestinians in both political and economic terms, the Great March of Return reveals a yet another layer of the precarious way of life Palestinians in Gaza have been forced to endure. For young people participating in the march, the precarity they lived was not only because of the political status quo, or because of the structural imposition of the de-development of Gaza's economic foundation, but rather because of a profoundly existential precarity surrounding what possible future there could be for Gaza.

Conclusion

By highlighting different kinds of everyday struggle, this chapter has unpacked some of the micro-dynamics that were embedded in the Great March of Return, in order to account for people's perceptions of and attitudes towards the popular framing discourses of the march. This, from an anthropological perspective, is key information critical to understanding the potential and scope of the movement itself. As the narratives of young people throughout this chapter show, a great deal is at stake in traditional forms of political participation, including political protest, which come to be representative of more tangible pragmatic needs. Making room for this broader understanding does not detract from the overarching politics of the march. On the contrary, I believe it rather establishes different ways of understanding precisely what the experience of dignity systematically denied means in practice.

Conversations about the march with young people clearly broke down the meta-narrative of return into different angles and approaches. This produced competing narratives about what the march was for, why it was important to participate or not, and perhaps most of all showing that the march was not necessarily an all-consuming event for these young people, but rather a form of action that took place against a backdrop of ongoing everyday life. There can be a tendency in discussions of Gaza to treat all Palestinians in the same category, with attention to class, gender, political, and ideological division often cast aside. The Great March of Return in Gaza is a space to understand these multiple narratives, as befits any movement of struggle that crosses class and gendered divides. The demand of return was also a space for multiple struggles to play out, highlighting what how the lived experience of the siege differently manifests among young people in Gaza, and creating space for different ways of articulating what is ultimately a united struggle for dignity.

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Chapter Nineteen

Theory and Practice: Palestinian Youth Engagement in Frameworks of Struggle¹

Loubna Qutami, Omar Zahzah, Ramah Awad, Nadya Tannous and Celine Qussiny

The Palestinian struggle has historically been defined and articulated through frameworks of anti-colonialism and national liberation. Since the 1993 Oslo Accords, however, new frameworks have gained popularity especially within solidarity scholarship and activism in North America: settler-colonialism, refugeehood, apartheid, and racial oppression. This essay engages a theorization of these frameworks from the vantage point of Palestinian youth organizers and thinkers in North America who are merging theory and practice to create a guiding praxis for liberation organizing. Utilizing scholar-activist ethnographic methods as members of the Palestinian Youth Movement (PYM), the authors argue that no one framework alone can define the historical and transnational threads of the Palestinian struggle but that each does have generative functions for Palestinian national liberation movement building and joint-struggle praxis with other communities.

¹ First draft of this chapter was written in 2020.



The Great March of Return

2019 | Light jet print mounted on matt diasec. 200 cm diameter. In the museum collection of The Arab World Institute in Paris, and the Contemporary Art Platform, Kuwait.

Source: **Steve Sabella**, <https://stevesabella.space/pages/the-great-march-of-return>

Introduction

Palestinians have historically articulated their struggle against Zionism through frameworks and methods of national liberation and anti-colonialism (Abdulhadi 2009). Since before the 1948 Nakba (catastrophe), but especially since the inauguration of the Palestinian revolution in the late 1960s, Palestinians drew from their collective experience of disaster to articulate their aspirations driven by national principles of return of all refugees to the homeland and an end to Zionist colonisation of all historic Palestine (Y. Sayigh 2011).² Combining broader aspirations for freedom with the internationalist, anti-imperialist, and anti-capitalist political ethos that molded insurgency in this epoch, Palestinians drew important theoretical and methodological lessons and resources from anti-colonial struggles across the globe, including on the convergence of theory and practice for a guiding praxis of struggle (Nisan 1993; Abdulhadi 2009). These lessons helped shape Palestinian principles, frameworks, methods, and, most importantly, self-determined characterizations and articulations of Zionism as a colonial project.³

Many theorizations of Palestinian resistance of this era were built in and through the anti-colonial movement, largely forerun by the Palestine Liberation Organization (PLO) after 1969, and in turn, reflected in liberation scholarship produced by the Palestinian intelligentsia. From the 1960s through the early 1990s, Palestinian intellectuals played a critical role in the national movement. They articulated the needs and aspirations of the Palestinian people to the international community and were an important component of the grassroots liberation struggle. Rather than by-standers studying the movement as an object of analysis, Palestinian intellectuals often wrote about an experiential condition they experienced *alongside* their people, formulating compelling narratives and paradigms that were in service of the movement. As Mjriam Abu Samra and Luigi Achilli note in Chapter 17, Palestinian intellectuals in the early stages of the revolution were Gramsci's "organic intellectuals": the "constructor, organiser, and permanent persuader [who] give it [its broader class] homogeneity and an awareness of its own function not only in the economic but also in the social and political fields." Intellectuals were not only champions of the revolution, but also offered critical appraisals on the state of the movement, an analysis of its contradictions, and critiques of the mistakes, corruption, and misuse of

² Our reference to historic Palestine throughout this essay refers to all territories confiscated in 1948 and onward.

³ The example of Palestinian intellectuals such as Fayeze Sayegh (1922-1980) who realised important dimensions inherent to Zionist colonialism through comparison and contrast to other European colonial projects reveals a crucial movement truism: comparison and contrast of particular systems of oppression and modes of resistance is an essential gesture by which a liberation movement comes into maturity. By allowing a liberation movement to take serious assessment of the unique and shared aspects of a people's oppression, processes of political comparison and contrast help sketch out the needs and possibilities for joint struggle as well as the particular forms that anti-colonial resistance needs to assume (Sayegh 1965).

power among its leadership as well. However, as Abu Samra and Achilli's work goes on to show, the role of intellectuals was re-ordered following the signing of the 1993 Oslo Accords whereby the anti-colonial intellectual was relegated to "dissident" instead of an important actor in a broader liberatory movement ecosystem (Abu Samra and Achilli 2020).

The anti-colonial political framework, developed by the PLO and theorised by its intelligentsia, was eventually sabotaged with the signing of the 1993 Oslo Accords, when the Palestinian leadership recognised their occupier and traded in the revolution for a hollow promise of a state on only 22 percent of historic Palestine.⁴ Since then, the PLO—which had purported to embody Palestinian liberatory politics and praxis—was supplanted with the Palestinian Authority (PA), a governing force bound to jurisdiction and tasked with building a state in cooperation with Israel, primarily utilising tools of international diplomacy. Until today, Palestinians have not achieved their freedom, yet the shift in trajectory has, at times, obscured the very character and framing of the Palestinian anti-colonial struggle and limited a critical interrogation of Zionism as a colonial ideology and project. This change was accompanied by a liquidation of the transnational infrastructure of the PLO, which once gave Palestinians everywhere, including the intelligentsia in exile, a direct role in an organized struggle. In turn, the Palestinian grassroots, inside and outside the homeland, were limited from being able to *collectively* theorise their conditions through organized popular movement praxis for the purpose of liberation. Instead, collective revolutionary action was suppressed, a prohibition that naturally also extended to collective Palestinian intellectual theorisations of comprehensive liberation. While liberatory action and intellectual production continues, like the conditions of the Palestinian people and liberation project, it remains de-centralised, fractured, and takes form through spontaneous and popular forms rather than through transnational organisation operating through a politically centralized vehicle.

The 2006 formed Palestinian Youth Movement (PYM), which became a transnational movement with an international central council and national branches across the world, was created out of the desire of young Palestinians worldwide to revitalize a transnationally organized liberation project. Though it did not have "official" status as a political party or a Non-Governmental Organisation (NGO), the PYM considered and conducted itself as a "movement" body out of the conviction that the Palestinians who had been abandoned by the PLO's abdication of a national liberation project nevertheless had the potential to revive and act upon the collective anti-colonial ethos that had united the Palestinian people and revolutionaries in joint struggle around the world in decades prior. Palestinian political history provides the key for

⁴ We recognise that the road to Oslo began long before the 1990s and was shaped by multiple regional and global reconfigurations of power that left the PLO politically and economically isolated; however, this history is beyond the scope of this essay.

the organisation's particular focus on youth:. Like the student movements that formed in the wake of al-Nakba, who were the first post-1948 sector to institution build transnationally through engaging the dialectical relationship between theory and practice, the PYM recognised the central role that youth hold in breathing new life into the Palestinian struggle after every major catastrophe (Abu Samra and Qutami 2020). The early conferences of the PYM brought together Palestinian youth from 33 countries worldwide to collectively develop the methods by which to assume a relevant role in the national struggle. But before being able to design the pragmatic steps that might lead them to liberation, the early founders of the PYM recognised the importance of collectively naming their conditions and theorising the systems that oppress them, in order to chart out the most appropriate methods to realise liberation.

Since its inception, the PYM has verified the importance of rigorous and historically comprehensive study and an appraisal of conditions based on the real lived experiences of Palestinians who remain dispossessed and occupied. This was not a question of intellectual fetishization: having grown directly out of a paradigm of political betrayal and opportunism of the Oslo era, the organisation held a conviction that revolution and political activism cannot be conducted reflexively, or thoughtlessly, but must instead be weighed in relation to a serious appraisal of socio-political circumstance and the weight of history and its contradictions. Insisting that true movements for liberation must be guided by revolutionary philosophies, and that a sound assessment of history is needed for the new generation to understand how we have arrived at the current political juncture, the PYM has affirmed the inseparable role between theory and practice in giving everyday people, particularly young people, a relevant role in anti/decolonisation work. As Paolo Freire writes, "It is only when the oppressed find the oppressor out and become involved in the organised struggle for their liberation that they begin to believe in themselves. This discovery cannot be purely intellectual but must involve action; nor can it be limited to mere activism, but must include serious reflection: only then will it be a praxis" (Freire 2005, 65.) Akin to Freire's reflections, the PYM has been committed to cultivating a methodological process whereby a dialogical relation between theory and practice can in turn cultivate a guiding praxis for liberation organised and anchored by grassroots communities, particularly youth.

Reflecting on the PYM's organising-derived theorisations of struggle over the past few years requires considering growing trends in the activist-academic language on Palestine, as well as changes within the organisation and its current geographical context. As a result of the geopolitical shifts following the 2011 Arab Uprisings, by 2015 the weight of PYM's work shifted to North America, where it is currently active through 14 local, city-based chapters. There are several works that outline the PYM's pedagogical praxis at the transnational level in its early years (Salih, Welchman, Zambelli 2017; Abu Samra and Qutami 2020). And while new PYM chapters have formed in Europe as of

this writing, references to the PYM throughout *this* chapter specifically refer to the PYM branch in North America, which has carried out its own projects and campaigns (2015-2020), while also building on the praxis established by the PYM historically and internationally (Qutami 2021). We, the authors, are both past and present PYM members who all live in North America and who have been actively engaged in these campaigns and projects, as well as part of both the academic and activist arenas that have taken up Palestine more seriously in the last decade.

Based on our observations as scholar-activists, we have felt compelled to write this essay exploring four key political/analytical frameworks that have become increasingly prudent for the study of Palestine in both North American scholarship and activism: settler colonialism, refugeehood, apartheid, and racial oppression. These frameworks also hold broader relevance to the PYM's own conceptions of the Palestinian cause and joint struggle praxis, even as they have gained popularity in the last two decades as a result of academic and activist analogies drawn between Palestine and other places and communities in struggle.⁵ For example, academics and activists have commonly drawn parallels between North America and Palestine through settler colonialism and indigenous solidarities as overarching frameworks (Salaita 2006; Sharif 2017; Barakat 2017). Refugeehood, apartheid and racial oppression are other frameworks increasingly being used to drive legal advocacy, solidarity activism, and scholarship on Palestine, often drawing from learned lessons of the Black freedom struggle in the United States (US), anti-apartheid struggle in South Africa, and global anti-border and migrant rights activism. (Jones 2012 and 2016; Clarno 2017; Erakat and Hill 2019). This chapter thus seeks to entertain these frameworks from our vantage point as past and present members of the PYM: an independent, and grassroots organisation of Palestinian and Arab youth organisers in North America deeply engaging in movement-building among Palestinians locally and transnationally, as well in joint-struggle relationships with local and global movements for liberation (PYM 2020a). We recognize that movements and their practitioners are always evolving in their analysis, methods, and political programs alongside the shifting terrain of local and global political contexts. The lessons illustrated in this essay reflect our own organising derived lessons rather than the organisation's official positions and are limited to the scope of PYM's work in North America up until 2020.

For each framework, we highlight key lessons we draw from PYM projects, delegations, and campaigns in order to examine the following: how these frameworks apply to Palestine; how the PYM has engaged the theory and practice of engaging each framework; the important lessons learned from engaging this work; and how it has shaped PYM principles and philosophies of

⁵ While many other frameworks are applied to Palestine (gender and sexuality, climate, disability, human rights, etc.), this chapter examines these four frameworks because they have become especially relevant in the activist and scholarly terrains that PYM organisers are a part of in North America.

organising, in relation to the Palestinian national struggle and in joint-struggle relationships with other freedom struggles. This examination is situated within broader debates regarding how to engage and contextualise Palestine to mobilise transformative solidarity, as well as regarding how Palestinian youth in the North America can understand the particularities and distinct nature of their own national struggle against Zionism. As Omar Jabary Salamanca, Mezna Qato, Kareem Rabie, and Sobhi Sammour attest: “the Palestinian liberation movement has seen a series of ruptures and changes in emphasis, and in many ways scholarly production accurately mirrors the dynamics of incoherent contemporary Palestinian politics” (Salamanca et al. 2012). Building upon their work, which calls for the creation of a “transformative, liberatory research agenda,” we offer this essay as organisers committed to intellectual production in service of Palestinian liberation (Salamanca et al. 2012).

Settler colonialism

Settler colonialism is a generative framework for explaining Zionist colonisation of historic Palestine and many of the barriers to Palestinian repatriation and return to the land (Lloyd 2012; Abowd 2014; Khalidi 2020). The advantages of the academic enfolding of the Palestinian struggle within settler colonial studies are as follows. In the first instance, it is a validation of previous political-intellectual writing by Palestinians that sought to explicate the *colonial* character of Zionism as a settler enterprise (Jabbour 1970; Sayegh 1965; Salamanca et al. 2012; Zureiq 1948).⁶ Secondly, as contemporary scholars have noted—provided that the settler colonial framework is not pursued in a merely descriptive sense but is rather put into conversation with conceptions of indigeneity—settler colonialism as a rubric has the potential to attend to what is entailed by a politically just *outcome* for the Palestinian struggle, as well as to encapsulate the revitalisation of necessary linkages between Palestinians and other Indigenous nations fighting the machinations and legacies of genocidal regimes elsewhere. (Amara and Hawari 2018; Barakat, 2017; Abu-Lughod 2020).

Paired with global Indigenous articulations that illustrate the genocidal logics of settler colonial invasions and ongoing land grabs, the framework has offered Palestinians invaluable insights into understanding the driving logics of

⁶ In his comparative study, George Jabbour wrote “Underlying this essay is an assumption that there is a pattern of behavior which is identical in its general lines exhibited by those European settlers who have formed political entities in non-European lands; that this pattern of behavior is quite recognisable in South Africa, Southern Rhodesia, and Israel; and that it is therefore warranted to study those experiments within the framework of this behavior. It is the author’s conviction that such an approach to the study of settler-colonialism is not only essentially valid but is also useful in comprehending the past and rewarding in attempting to predict the course of which events may take in the future” (Jabbour 1970, 38).

Zionism as a project motivated by Indigenous elimination facilitated by what Patrick Wolfe describes as “a structure not an event” (Wolfe 2006; Trask 2005). But historical precedent and linkages between struggles should not be taken to imply the *interchangeability* of experiences of settler colonial architectures and Indigenous dispossession. Projects of settler colonisation can realise deviations that, for all of their surface-level distinction, nevertheless do not invalidate the larger, structural character of the violence they exhibit. For instance, as Palestinian scholar Nour Joudeh has illustrated, settler colonialism in Palestine also functions through logics of confinement in addition to elimination, whereby cities like Gaza city are “technically void of settlers, but one controlled, ghettoized, and besieged by a settler colonial state” (Joudah 2020). In keeping with Joudeh’s account, Honaida Ghanim argues that following the June 1967 War and the resultant acquisition of Palestinian territories by the Zionist state, the Zionist project became a “hybrid system that integrates settler colonialism, military rule, and an apartheid regime” (Ghanim 2018). Both Joudeh and Ghanim illustrate the importance of a more nuanced analysis of settler colonialism as a framework; a call we have in part responded to in the remaining portions of this essay. Irrespective of the multiple co-existing and/or constitutive systems and logics that comprise the Zionist settler colonial apparatus in the present, its early iteration very much mirrored settler enterprises elsewhere.

Palestinian scholars and political actors always accounted for the ultimate prerogatives of the Zionist project: to erase Palestinians from Palestine and Palestine from world maps. The early Palestinian youth movements following the 1948 Nakba (catastrophe), for example, had insisted their goal was to “put Palestine back on the map” (Abu Samra 2020). The PYM understands settler colonialism to be an intentional and systemic project of extraction and exploitation of land and resources, like all colonial enterprises, but also recognises how settler colonialism seeks to permanently dispose of and replace the Indigenous population, enabling settlers to naturalise their claims to history and land (Wolfe 2006). As Fayez Sayegh has beautifully illustrated in his 1965 essay “Zionist Colonialism in Palestine,” Zionists aimed to “construct their own national ambitions upon the erasure, exploitation, or suppression of the pre-existing inhabitants of the colonized nation” (Sayegh 2012).

At the same time, the Zionist ambition for Palestine would not have been impossible to realize without broader European backing. Explicit support for the Zionist movement on the part of the British empire, which exercised an imperial mandate over Palestine following WWI, is common knowledge. But as Palestinian historian Sherene Seikaly notes, what makes the case of Palestine important to examine was not merely British support for Zionism, an assumption that runs the risk of reinscribing colonial logics of competing claims, or land disputes. In fact, Seikaly explains, by the time the Covenant of the League of Nations divided the world into so-called advanced nations versus those of former German and Ottoman empires that required “tutelage”

to achieve eventual self-governance, its Permanent Mandates Commission had operationalized two defining aspects of the British Balfour Declaration, which promised Palestine to the Zionist movement in 1917. These aspects were “the erasure of the Palestinian and the partition of the people into those deserving versus those undeserving of a national home,” and they became the “foundation” of the Mandate Commission’s document concerning British treatment of Palestine. While the terms of the Mandate system were already rife with imperial condescension, the Palestinians were even further dispossessed by the broad-based institutional acceptance of Zionist settler-colonial claims to Palestinian land (Seikaly 2016, p.5). As a result, Seikaly notes “The Mandate in Palestine was exceptional because it was the only case in which the Permanent Mandates Commission endorsed settler colonialism” (Seikaly 2016 p.5). Imperial, colonial and racial European understandings of human capability resulted in the explicit institutional operationalisation of settler-colonial dispossession and Indigenous erasure.

One of the first prolific forms of Zionist erasure of Palestinians was orchestrated by land-based organisations—such as the 1901-founded Jewish National Fund—that sought to make Palestinian labour disposable. Early Zionists accumulated lands and implemented policies that prohibited the hiring of Palestinian/Arab workers (Lockman 2012). These policies ignited the first major organised Palestinian rebellion, the 1936 Great Revolt, whereby Palestinians sustained a general strike for six months and popular mobilisation for three years to protest land annexation and labour disposability policies and impending Zionist aspirations for conquest. Alongside land and labour policies, Zionists, who came to settle the land, formed the militias of the Alexandroni Brigade, Stern/Lehi Gang, Irgun, and Haganah. Though pluralistic in ideology and methods, these militias carried out attempted ethnic cleansing campaigns— including massacres and forced physical displacement— ultimately emptying the majority of Palestine of its Palestinian inhabitants and supplanting their presence with European Jewish settlers (Masalha 2012).

A secondary Zionist claim routinely engaged in by settlers in other commonwealth colonies worldwide is that of *divine right*. Through articulations of “God’s testament” and “celestial destiny,” early Zionists proclaimed Europe’s Jews were the “chosen people” of the land, a familiar trope that can be found in proclamations of European settlers in Turtle Island (North America), under the banners of the “Doctrine of Discovery” and “Manifest Destiny” that facilitated the “God given right to expand westward” (Waziyatawin 2012). These prophetic colonial logics also appeared in Azania, which became the foundation of the settler colony of South Africa (Waziyatawin 2012).

There were, however, other political claims being mobilised to secure Zionist ambitions in Palestine as well. Due to Palestine’s colonisation occurring late in the global context of colonisation, Zionists were pressured to quickly

abandon their position as belonging to a colonial movement (Massad 2019). Instead, Zionists worked to “purge” colonialism from their literature, programs, and agencies, and rather re-branded their movement as a national liberation project by the to legitimise itself through “modern” lenses that naturalised Israel’s creation in the region as a liberal democracy (Massad 2019). Such a paradox was instrumental in galvanising global endorsement for the creation of Israel in the very moment colonial projects were being formally overturned across the Third World, torturously utilising liberal notions of the right to self-determination to legitimise Zionist ambitions for a state predicated on the erasure of Palestine and the Palestinians (Tareh 2020). More recently, no doubt due to the increasing academic prevalence of settler-colonialism and Indigeneity as concepts for framing the Palestinian struggle, Zionist academics and organisations have taken to redefining Zionist settler-colonialism as an “Indigenous” political movement. Though there is little in the way of large-scale academic convention that suggests such attempts are achieving success, we feel compelled to note that the attempt to inscribe a settler-colonial movement as an Indigenous struggle within contemporary scholarship seems in direct keeping with the settler-colonial imperative to erase all traces of the Native, in this instance through pilfer and sabotage of the very mechanisms utilized to ensure broader recognition of Indigenous struggle.⁷

The 1947 United Nations (UN) Partition Plan was the affirmation from the “international community” that solidified Zionist claims to the majority of the territory of historic Palestine. The UNs greenlight toward the establishment of the state of Israel, in May of 1948, cemented Zionist aspirations. By 1948, most Palestinians were facing much more than labour disposability or violence under the hands of the British colonial officers; they were forcibly removed from their homeland and left to perish in squalid refugee camps. The new-found state of Israel was built atop of some 15,000 massacred corpses in Palestinian graves and atop the destruction and renaming of nearly 500 Palestinian towns and villages as nearly 750,000 Palestinians were permanently dispossessed.

Methods of the physical colonisation of Palestine were multi-fold, including the plunder of the land and defining exclusive access to natural resources, Palestinian bank accounts, belongings, and knowledge production, before finally commuting them into the founding capital of the new state. Today, Palestinian residency within the lands of historic Palestine is referred to in the past tense, if acknowledged, while the infrastructure of the modern Zionist state is literally predicated on top of the destruction, subjugation, occupation, and containment of Palestinian society (Calis 2015). Palestinians are not just battling the ongoing occupation of their homeland, they are also battling the

⁷ Though the use of more democratically aligned frameworks might seem to be incongruous with colonial endeavors, as Lisa Lowe’s work demonstrates, liberal teleologies have always been constitutive and instrumental in the facilitation of global iterations of settler/colonialism, racial capitalism, and racial chattel slavery (Lowe 2015)

violence of discursive erasure, manufactured by Zionist claims that Palestinians “never existed” to begin with or that their history as a people begins through the contestation of the Zionist project. Yet as Palestinian scholar Rana Barakat makes clear, “Written outside of a framework of Indigenous resistance, the story of the Nakba is one of endings: the story of the making of a refugee population and the memory of what Palestine once was as opposed to being the story framed around the return of refugees and Palestinian resistance” (Barakat 2017, p. 361)

The uniqueness of the PYM’s situation is that the organisation is grappling with simultaneously understanding both the physical dimension of erasure that has forced many of us and/or our families into exile and the cultural/discursive erasures that concern us as Palestinians living in North America on another people’s stolen land. For instance, much of the relevance of the PYM’s cultural and youth empowerment initiatives is intended to counter Zionist attempts to erase Palestinian cultural cohesiveness and history, and to cultivate proud new visionary leadership for the liberation struggle. However, we also contend with the added complexity of considering how our own Palestinian experiences of physical exile and cultural erasure inform our ethical and political commitments to Indigenous people on the land we currently inhabit. Much of the PYM’s work has thus been shaped by both a critical understanding of the methods and underlying logics of Zionist settler colonialism, as well as the practices of Palestinian and Indigenous communities worldwide who continue to resist annihilation and a rendering of the story of al-Nakba as a narrative of endings, as Barakat’s point summons us to do. Such a calculus allows the PYM to consider how our experience as Palestinians might politically engender our own ethical consciousness and commitment towards projects of Indigenous sovereignty and decolonisation not only for Palestine but for Turtle Island (North America) as well.

The PYM understands that the workings of Zionist settler colonialism are not confined to the borders of a declared nation-state, and that the violence of erasure not only manifests with the physical removal of Palestinians from their land. Zionist cultural genocide has worked to emaciate and contain Palestinian expressions of identity, experience, and aspirations for freedom worldwide. Often enforced through regulative state policies of criminalisation and punitive attacks, suppression of Palestinian narratives is evidenced through the scores of Palestinian archives that have been looted and decimated, and the many Palestinian intellectuals disciplined for teaching and writing about the Palestinian struggle (Bazian 2015; Salaita 2015; Sleiman and Chebaro, 2018; Abdulhadi 2020). Many more Palestinians in exile who have offered riposte to Zionist hegemonic narratives have been deported, imprisoned, or assassinated for their activism, including in North America (Hussain and Greenwald 2015; Mustafa 2019; Sheen 2020). Because of these conditions, a good portion of the PYM’s work in North America is dedicated to fostering and cultivating

Palestinian identity, narratives, and discourse among a new generation and to combat efforts that criminalize Palestinian identities, activism and voices. For example, the PYM's summer schools for Palestinian/Arab youth, and annual Ghassan Kanafani Resistance Arts scholarship and anthology—the first creative writing scholarship exclusively dedicated to exilic Palestinian youth in North America—work to preserve and create Palestinian narratives and meaning-making as it faces consistent forms of repression (PYM 2017b; PYM 2020b). We venerate cultural work as an act of resistance to cultural genocide.

Beyond the work of cultural identity preservation and cultivation, the PYM's awareness of the particular and converging character of settler colonialism in Palestine with other settler colonies equips it to engage *joint-struggle* praxis with other Indigenous peoples and nations resisting erasure, and to interrogate the positionality of Palestinians living on stolen land in Turtle Island (North America).⁸ The PYM has responded to national and local call outs to defend sacred sites and Indigenous ways of life. For example, in 2013, the PYM organised a delegation to Black Mesa, Dinétah and were hosted by members of the Navajo Nation. The purpose of the delegation was to extend solidarity to Native peoples in their struggle for sovereignty over Diné ancestral grazing lands, cornfields, home sites, and sacred places (Minno 2012). Drawing direct links between resource and water confiscation policies in Palestine and those in Black Mesa was key to deepening PYM's understanding of land as a provider of life rather than a commodity for extraction, even as Palestinian youth on Turtle Island cannot access their historic homeland.

In 2016–2017, the PYM sent two delegations to Standing Rock Sioux Reservation and facilitated the arrival of other Arab and Palestinian delegations. The PYM joined tens of thousands of people who arrived in Dakota/Lakota/Nakota lands to resist the Dakota Access Pipeline (Palestinian Youth Movement 2016; Tannous 2016). Reflecting on the action, the PYM stated: “When our Palestinian delegation arrived at the Standing Rock Sioux Reservation in 2016 and asked for permission to stay, we were met with so much joy and so many tears. We learned a history that had not been broadly taught to us: some of the Lakota elders said that they had not seen Palestinians since the 1970s and 1980s when delegations had visited Standing Rock and other reservations of the Lakota, Dakota, and Nakota. One elderly woman recalled that a representative of the PLO, who had visited them, helped them craft the language of their UN petition for rights and recognition as a sovereign nation. These elders were overjoyed

⁸ PYM distinguishes “joint struggle” from “solidarity,” conceiving of the former as a framework that prioritizes co-liberation alongside other freedom struggles through resistance to overlapping oppressors and oppressions. The partial inspiration for this distinction, which remains an important principle in PYM's current efforts, was PYM members' growing sense of the need for political principles that championed revolutionary liberation with a foundation distinct from iterations of Palestine “solidarity” activism grounded in principles of liberal democracy. This distinction was not meant to criticize or undermine particular forms of solidarity with Palestinians so much as to create an alternative space whereby Palestinians could fully assert revolutionary sovereignty and recall modes of interconnection with other racialized and colonized peoples that were operative during the 1960s and '70s (PYM, 2012c).

that we had returned” (Abuznaid et al. 2019). These delegations affirmed the historic modes of joint-struggle relationships between Palestinians and Indigenous people and reaffirmed the PYM’s commitment to learning more about and revitalising these relationships.

In 2018, PYM carried out the Indigenous Youth Delegation to Palestine with ten youth organisers from Turtle Island and the Hawaiian Kingdom (PYM 2018). A few important conclusions were developed from this delegation, the first being that US imperialism, support for Zionism, and the War on Terror would not be what they are today without the long history of war waging the US had first implemented against Indigenous peoples (Dunbar-Ortiz 2013). Secondly, Palestinians can learn a multitude of decolonial resistance strategies from Native peoples, based on the *longue durée* of their struggle against settler-colonial erasure, including retrieval and preservation of cultural knowledge, despite destroyed archives and vanished landscapes. While Palestinians have long waged an anti-colonial struggle—combatting the system meant to destroy them—through the decolonial work we can create an otherwise possible alternative that has long been deferred under the looming shadow of the Oslo Accords. PYM members affirmed the importance of waging both struggles—the anti/decolonial struggles—simultaneously.

In 2019, as a reflective offering for PYM’s 2018 Indigenous Youth Delegation to Palestine, members of the Red Nation hosted members of the PYM and the Arab Resource and Organizing Center on a delegation to Dinah (Navajo Nation) and Tewa (Pueblo) Lands. This delegation illustrated how, when colonial powers abandon direct military occupation and boots on the ground, they will entrench themselves into the landscape through weaponised bureaucracy and compromised community leadership. The Navajo Nation’s tribal council in charge of central administration today, for example, was first created in 1922 by the US Secretary of the Interior as the *Navajo Business Council*, marking the transition from an era of militarised westward-expansion into one of new settler start-ups and extraction of capital from land federally recognised as other’s “sovereign” territory. The Navajo Business Council was subsequently recognised as the official leadership of the Nation by the US government and was active in brokering leases of deeds for mineral mining and oil extraction between the US, settler businessmen, and the enrolled Navajo Nation members. The official tribal leadership is now in charge of brokering and maintaining bureaucratic violence towards members of the Navajo Nation, rather than acting as representative of visionary political, spiritual, and revolutionary leadership or actively opposing the process of settler extraction and systemic abuse; the tribal administration relies on the very system of settler colonialism itself to exist.

The lesson could not ring truer in the Palestinian context today, where the official Palestinian establishment has effectively surrendered national political

principles of return and liberation for the promise of legibility to the international community. The PA exists today because of the settler-colonial system implemented by Israel; thus, it exists not to proactively resist ongoing Zionist aggression but to facilitate the method of harm towards Palestinians and relies on the very colonial system it exists within to maintain its own status of power. Understanding settler bureaucratisation of Indigenous political life as an insidious strategy of colonial power thus becomes crucial to more nuanced comprehensions of settler colonialism's layered arsenal, representing another key entry-point to accessing the meaningful forms that engaged joint-struggle and mutual, dialogic comprehension might assume. These comparative histories confirm the PYM's critiques of the PA and its state-building authority apparatus, which teaches the youth that processes of neoliberal incorporation into settler designs can never realise true freedom.

In 2019, the PYM members went to Mauna Kea, a dormant volcano in the Hawaiian Kingdom. During the *Ola* or the offering to the *Kupuna*, council of elders, the Palestinian flag was lifted to join the other nations who offered support to those gathered in protest of another thirty-foot telescope set to be built on the Mauna. At Standing Rock, it became clear that Indigenous resistance against pipelines, extractive industries, and desecration of Native sites are repressed with the same technologies and crowd control methods that Israel uses on Palestinians in the occupied homeland. This lesson was elaborated at Mauna Kea, where members felt punctuated shudders of the ground from mini-explosion tests by the US and visiting militaries. Shortly after, during a visit to the Waianae Valley and another sacred mountain (Mt. Ka'ala), members heard stories from local Hawaiians about the Rim of the Pacific (RIMPAC) international maritime exercises, with many militaries around the world, including Israel, coming to Hawaii every year to practice hitting targets on land by aircraft launched at sea. Coming face to face with the exchange of weaponry and military techniques between the US, Israel, and other colonial states, delegates verified the importance of joint struggle in tackling intimate bonds of material collaborations between US and Zionist militarism (Adalah Justice Project 2020).

Learning and growing in movement with Indigenous peoples, the PYM has become increasingly mindful of how Palestinian residency in Turtle Island through liberal notions of the US "melting pot" of immigrants can be utilised to eclipse the ongoing colonial violence against Natives, Hawaiians, and Black people (Day 2015) and their resistance to it. For example, during a field trip as part of the 2015 summer school hosted in Riverside California, Palestinian youth visited Mount Rubidoux and listened to the creation, survival, and political histories from members of various local Native communities (Sepulveda 2016). Sitting at the top of the mountain, paradoxically in between a US flag and a cross, Palestinian youth reflected on how these sites equate to Palestinian sites of genocidal violence, such as Deir Yassin. These connections

allowed them to consider more mindfully what it means to be stationed on, and incorporated in, someone else's land.⁹ However, in accounting for their own location in the US as a result of Zionist dispossession backed by US empire, Palestinian youth have problematised the monolithical understanding of their own positionality as one of "settlers."

Instead, in line with some of the important conceptual developments arising from Indigenous Studies, the PYM has articulated Palestinian and Arab political positionality as that of guests and/or "arrivants," which more mindfully allows us to consider the transnational imperialist histories that have driven people out of their homes and relocated them to other sites of genocide and dispossession (Brathwaite 1986; Byrd 2011). This analysis has further allowed the PYM to sort out how to build between communities affected by colonisation without the intermediary of the US state facilitating solidarity. Through this approach, PYM members have deepened their understanding of their own positionality within the heart of the US empire: as subjects of its imperialist designs overseas, as beneficiaries as citizens of empire built through Indigenous erasure and chattel slavery, and as citizen-subjects of North American based anti-Arab, anti-Palestinian, and anti-Muslim racism. Embodying this nuanced and self-reflexive rumination, PYM members have affirmed their responsibility toward other Indigenous lands and people: "Our presence as non-Native people carries the weight of inherently reifying the settler hegemony of the colonial state if not critically engaged and challenged through meaningful joint-struggle work" (Tannous and Zahzah, 2018).

The history of international joint struggle between Indigenous movements, such as the American Indian Movement (AIM), and Palestinian movements, has in many ways set the foundations for cross-movement building today (Estes 2019). Palestinian youth are fortunate to come from a rich history of co-resistance and alignment between their own struggle and movements of other communities battling settler colonialism. However, that historicity alone will not sustain alliances. Relationships must be fortified through grassroots organising, alongside co-theorisation of conditions and resistance mechanisms that account for parallels and distinctions in varied settler-colonial enterprises and the responsibility that accompanies our positionality as Palestinians in Turtle Island.

Settler colonialism as a framework provides a robust understanding of the creation of the state of Israel and the attempted erasure of Palestine and the Palestinians. It details the ideological and structural imperatives of physical removal from the land and erasure of Palestine and Palestinians from knowledge registrars. Indigenous studies is an important alternate framework offering insights that the settler-colonialism framework was not designed to

⁹ Day further elaborates on how non-white immigrant communities become incorporated into settler-colonial designs (Day 2015).

address. Indigenous studies and joint-struggle praxis centre Indigenous narratives, resistance histories, critiques, futures, and political landscapes and are important to draw direct experiential links between Palestinians and Indigenous people across the world, that are not constrained to bonds of shared victimisation alone. As Yara Hawari and Ahmad Amara so eloquently put it, “indigeneity demystifies the Zionist project as something unique to Palestine and places it within a global context of settler colonial projects. This allows Palestinians to draw solidarity links with other indigenous peoples and to recognise intertwining threads of oppression. Considering a decolonial future is an important part of the (re)-shifting of the political paradigm” (Hawari and Amara 2019). Going beyond settler colonialism as a framework by centering Indigenous joint-struggle praxis allows us to transcend the violence afflicted upon us by actualising the future of resistance, agency, and decolonisation.

Refugeehood

Among the greatest fatalities of the 1948 Zionist conquest was the mass dispossession afflicted upon the Palestinian people. As Zionist militias captured Palestinian land, nearly 750,000 Palestinians were driven out of their historic homeland and scattered across the region, with thousands more internally displaced. Arab nationalist thinker Constantine Zureiq theorised the depths of disaster of the moment, in his August 1948 seminal text, *Maana al Nakba* (Zureiq 1948). Zureiq argued that what had transpired in Palestine was something much greater than a crisis or a disaster because it would result in the permanent exodus of Palestinians from their homes, their scattering across different corners of the world: a rupture in the social, cultural, psychological, and epistemological bonds of a people and land (Zureiq 1948).

The Nakba was the beginning of many more modern exoduses for Palestinians. Languishing in cloth tent camps across the region and perilously suffering in destitute conditions, the first generation of Palestinian refugees were left without recourse. Aware of what may become (and what indeed did become) a protracted condition of refugeehood, the international community created the United Nations Conciliation Commission on Palestine (UNCCP) tasked with offering legal protections to Palestinian refugees and developing long-lasting solutions which include, but are not limited to, “repatriation, resettlement, restitution, and compensation” (Rempel 2020). UNCCP’s executive function was guided by UN Resolution 194, the very same resolution that protected the Palestinian right to return (Rempel 2020). However, the commission was all but liquidated by the 1950s as a result of its inability to realise its mandate.

On a parallel track, the United Nations created the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in 1949 to consolidate

relief services for Palestinian refugees offered by other international relief organisations (Bocco 2010). Though UNRWA was tasked with providing humanitarian relief and later educational and health services, it was never intended to offer legal or political protections or solutions. The paradox, however, lies in the UN's commitment to establishing another refugee agency, which implemented a political, legal, and humanitarian protection mandate per the 1951 Refugee Convention for all refugees worldwide except for Palestinians: the United Nations High Commission of Refugees (UNHCR) (Akram 2002).¹⁰

The failure of the UNCCP, the exclusion of Palestinians from the UNHCR's protectorate, and the insufficiency of UNRWA's function has had colossal effects on Palestinian refugees. While UNRWA has been able to maintain a comprehensive census of Palestinians displaced in 1948 and their descendants, it does not account for Palestinians displaced after 1948. Due to the protracted nature of the Palestinian struggle, new communities of Palestinians became exiled refugees or were internally displaced after 1948—as a result of the June 1967 War, the exodus of the PLO from Jordan in 1970, and the Lebanese Civil War, notably the exodus following the PLO's defeat in Beirut in 1982 (Erakat 2014). Hundreds of thousands of Palestinian refugees also endured secondary displacement from Kuwait during the 1990/91 Gulf War, from Libya in 1996, and from Iraq following the 2003 US invasion (Erakat 2014). Because Palestinians remain stateless, host states in the region have been reluctant to receive them because of the likelihood of permanent settlement. Most recently, Palestinian refugees have endured new forms of displacement and sieges since the start of the war in Syria. All along, Palestinians have been denied exercising their right to return home to Palestine and many have not attained the ability to seek full rights-bearing citizenship in their host states. Today, the everyday humanitarian conditions of refugees and their camps have become even more dire, including as a result of the Trump administration's funding cuts to UNRWA.

While a historic examination of Palestinian refugeehood reifies how Israel, host states, and the international community have been complicit in the production and suffrage of Palestinian refugees, Palestinians lost faith in these actors relatively early on following the Nakba. This loss of hope fortified the realisation among them that it was necessary to self-organise to reverse the material losses of the Nakba (R. Sayigh 1979; Y. Sayigh 2011). In the early 1950s, refugee students and youth laid the foundation for the formation of the first post-Nakba political organising landscape and many of them later formed the *fedayeen* (guerilla) groups, which together constituted the Palestinian Resistance Movement (Abu Samra 2020). Following the 1967 war, where Arab regimes and the PLO suffered an embarrassing defeat of popular legitimacy, the masses turned their endorsement to the revolutionary *fedayeen* who were mostly refugees

¹⁰ Legal scholar, Susan Akram, illustrates that Article 1D of the Convention was supposed to ensure that the UNHCR handle Palestinian cases when UNRWA could not and explains the reasons this has been ambiguously and arbitrarily interpreted and never properly implemented. (Akram, 2002)

from the camps, granting them majority power of the PLO in 1969. From then on, the PLO recognised the centrality of refugee self-sufficiency and worked to reverse the pacifying elements of aid-dependency. The PLO created a profound national infrastructure that operated across state borders to provide medical and humanitarian relief, and education (Hamid 1975). This infrastructure complemented the services offered by UNRWA.

While there is a lot that can be said about the deterioration of these programs—in no small part due to the corruption, ineptitude, and loss of political clarity and revolutionary ethos within the PLO from 1974 onward—we must acknowledge the importance of these programs in maintaining the steadfastness of refugees so that they could continue to serve as active political agents of history-making through the revolution (Y. Sayigh 1997; R. Sayigh 1979). These programs centred institution-building and vital wellness services as part of the Palestinian political program, not unlike the various service programs of other revolutionaries, such as the breakfast program for children and health services of Black Panther Party in the US (Majdal Center 2019). Cultivating these forms of self-sufficiency emerged as a result of Palestinian analysis of their own colonial conditions: the regulative exclusions from citizenship; denial of mobility and specifically the right to return, stay, and resettle; and the colossal effects borders had on their livelihoods and the resistance movement. This critical analysis that de-territorialised an understanding of the Palestinian nation—meaning that Palestine, its wellness services, and resistance programs were developing wherever Palestinians had ended up—was once a central principle of Palestinian national consciousness.

The Oslo Accords left the new generation of Palestinian refugees stranded as stateless subjects in camps across the region, and in exile across the world, with a weak political leadership that could not represent their needs and aspirations or secure their rights, particularly in moments of heightened disaster (Bitari 2013).¹¹ This is primarily because the PLO, which once represented and catered to Palestinians globally through anti-colonial political programs that centred social wellness, was emptied of its historic role and supplanted by the PA, an authority administration bound to the jurisdiction of the West Bank and Gaza Strip. This re-ordering has eclipsed both refugee return and refugee agency as guiding national principles of revolution. In its place, refugees continue to receive insufficient humanitarian assistance by international agencies, like from UNRWA, which has confirmed their aid dependency in the absence of political strategies that could realise their rights and freedoms including the right of return.

¹¹ Nidal Bitari argues that “the Palestinian national structures both in Ramallah and Syria failed miserably in their duty toward the Palestinians of Syria by doing nothing to protect either them or their neutrality.” (Bitari 2013, 72).

All this has prompted new generations of youth organisers, scholars, and groups (like the PYM) to re-evaluate the importance of refugee agency in social and political struggle and to retrieve past lessons. The PYM has insisted that the creation and sustenance of dignified services and rights for refugees is an essential component of political movement work, looking to the historic relevance of refugee modules for organising in order to inform new modalities of solidarity between Palestinian refugee youth and other refugee communities today.

The very formation of the PYM in 2006 itself worked to reverse the damage the Oslo Accords had done in geographically and ideologically fragmenting Palestinians from one another and disavowing the role of the shatat in the struggle and as members of the Palestinian national body-politic. The organisation's membership constituency and leadership were comprised of Palestinian youth from within Palestine, refugees from across the homeland and the Arab region, and exiles from across the world. From its inception, the PYM maintained that refugee return to all of historic Palestine was a non-negotiable Palestinian national principle and that Palestinians everywhere had a right and responsibility to participate in the national body-politic. In the wake of the 2011 Arab Uprisings, the Lebanon PYM branch, in collaboration with Ma'an Youth Club, began a new project that addressed the growing need of refugee children who had arrived to Palestinian camps in Lebanon from Syria (Ma'an Youth Group, n.d). In 2014, the youth opened the doors of the Al-Naqab Center in Burj al-Barajneh refugee camp (Al Naqab Center for Youth Activities, n.d). The Center's programs offered continued education for Palestinian and Syrian refugee children whose education had been interrupted as a result of the war. The project affirmed PYM's belief that services that uphold the dignity of our people most vulnerable to material violence, is key to ensure their full participation and leadership in the liberation struggle.

By 2016, the North American branches of the PYM had come to ruminate on the importance of refugee services and refugee solidarities because of the magnitude of the refugee crisis worldwide. Taking cue from the learned lesson of the PYM-Lebanon Branch, the PYM in North America launched a pilot program in August of 2016 where members from the US offered support services to refugees arriving to the Greek islands as the front steps of the European Union (EU). The project has since evolved into SWANACONnect, which enabled a deepening of refugee and diasporic solidarities with other communities affected by the global refugee crisis including Syrian, Iraqi, Afghan, Kurdish, and Iranian communities (PYM 2016). Since 2016, SWANACONnect sent 50 volunteers to Greece to offer culturally relevant, linguistically accessible, and politically grounded support services to refugees and has supported two political delegations to Greece with the Iraqi Transnational Collective and the War Resisters League. Grounding volunteer services in broader political visions and activism that work toward systemic change in

solidarity with refugee communities, this program's purpose, vision, and principles differed from those of neoliberal aid institutions, which offer humanitarian relief services through paid staffers in the absence of visions and strategies for structural change. From these experiences, delegates drew important lessons for future PYM political activism around migrant and refugee rights and services in the US, anti-militarisation, immigrant justice, border abolition, and renewed anti-war movement building.

In 2016, the San Diego PYM chapter initiated the Arab Youth Collective, a support program for recently arrived refugee youth to San Diego. The program was intended to ease the sense of isolation for incoming refugee youth who had already overcome perilous struggle as survivors of war. This work resulted in the opening of the Majdal Center in El Cajon, California in January of 2018, which offers an array of social services and empowerment programs for refugee and immigrant families, most of whom are from Syria and Iraq (Majdal Center, n.d). Like the Naqab Center and SWANACConnect, Majdal Center is now its own independent center separate from the PYM; however, PYM member involvement in the initiative in its early stages has lent the organisation invaluable lessons on the inseparability between social wellness programs and political organising not just for our own Palestinian communities but in solidarity with other refugee and immigrant communities. The Majdal Center's efforts have also highlighted the important intersections between refugee support/service work and the need to challenge racialized and Islamophobic surveillance programs like Countering Violent Extremism (CVE) which target and entrap already marginalized refugee communities (Majdal and PANA 2019.) Such efforts reveal that even though they may be prone to neoliberal cooptation, service work and refugee empowerment efforts are in fact highly political and inseparable from global projects of imperialism and colonial dispossession.

Through collaborations such as the PYM's annual Break Down Borders Run along the US-Mexico border in cooperation with Colectivo Zapatista, the PYM has learned the importance of combating violent border regimes as part of its global refugee solidarity praxis (PYM 2016). The PYM has also supported a number of relief efforts for Central Americans who have, especially since 2018, become trapped at the border. While extending its ethical commitments to other communities enduring mutual forms of oppressive displacement, the PYM has also organised around the national dimension of the Palestinian refugee struggle.

From 2018 to 2020, the PYM held numerous political education events on the current struggles of Palestinian refugees and organised campaigns to counter the cuts to UNRWA funding. In 2020, as part of COVID-19 mutual aid organising efforts, the PYM launched several fundraising campaigns to support refugees in various camps across the Arab region and the Mediterranean (PYM 2020c). Drawing lessons from these engagements, the PYM has deepened its

belief in services as a quintessential component of any ethical liberation political praxis and has come to pragmatically re-centre the principle of the refugee return in its political organising. Committed to offering refugee communities the critical support they need, not only to survive but to thrive as active-agents of their lives and the struggle like the generations before us, the PYM has affirmed the indivisibility between social wellness and political struggle in this work—just as it has linked the inseparable bonds between Palestinians and other displaced peoples worldwide.

Apartheid

Particularly since the 2005 issuance of the call for Boycott, Divestment, and Sanctions (BDS), apartheid has served—and continues to serve—as one of the dominant lenses through which to advocate for Palestine (BDS Movement, n.d). This is in large part due to the use of global boycott initiatives in ending apartheid in South Africa and because academics, political figures, and activists have popularised the parallels between conditions in South Africa and Palestine, arguing that Israel’s parceling of land in historic Palestine—especially expedited by the 1993 Oslo Accords—is reminiscent of the Bantustanisation of apartheid South Africa. As Palestinian youth organisers directly involved in the North-American based Palestine solidarity movement, the PYM has observed an increased reliance on the apartheid framework, as a guiding lens for discourse and activism on Palestine.

Analogies drawn with South Africa have led scholars, legal advocates, and activists to argue that apartheid is a fitting framework for the Palestinian context, or that it at least provides a viable legal framework for pressuring Israel in international courts (Hijab and Gassner, 2017). Alternatively, others have increasingly interrogated the use of the apartheid framework for Palestine, critiquing the politics of analogy and arguing that South Africa should not be a blueprint for Palestinian liberation because apartheid continued there despite its *de jure* end in 1994 (Clarno and Eid 2017; Abdelnour and Calis 2018; Outami 2020). Yet whereas the dimensions of “settler colonialism” and “refugeehood” describe wider *phenomena* of systematic oppression that govern Palestinian land and life, apartheid currently holds more pragmatic legal bearings.¹² We recognize the difficulty inherent to pursuing international avenues as a means of undermining colonial impunity due to international law’s historical emergence from colonial structures and practices. Palestinian legal scholar Noura Erakat acknowledges this fact while arguing that the outcome of

¹² We recognize that settler colonialism also holds legal bearings but in the current moment, apartheid has gained more currency in legal advocacy for Palestine. For instance, from 2021-2022, the human rights organisations B’Tselem, Human Rights Watch, and Amnesty International published reports accusing the Israeli state of the crime of apartheid.

justice-focused legal work is not necessarily predetermined by these histories but rather shaped by a range of political variables, which include the impact of extra-legal political organizing (Erakat 2019). For this reason, a multi-pronged approach that situates international advocacy alongside grassroots resistance efforts is crucial.

Apartheid is a unique example of a context-specific (South African) *phenomenon* that has since gained codification within international law. Now classified as a crime against humanity punishable under the 2002 Rome Statute of the International Criminal Court (ICC), apartheid legally refers to “the implementation and maintenance of a system of legalised racial segregation in which one racial group is deprived of political and civil rights”—not unlike the legal regime that implemented the system of Jim Crow segregation in the US South with which Palestinian youth in North America are more intimately familiar (Legal Information Institute, n.d).

Certainly, conditions in Palestine meet the definition of the crime of apartheid under the 2002 Rome Statute and bear striking parallels to apartheid-era South Africa. These conditions include Israeli-only roads that connect a web of illegal settlements throughout the West Bank, permanent and fleeting checkpoints, roadblocks, security outposts, and the “apartheid wall” that together restrict Palestinian mobility. Passing between the governance areas established by the Oslo Accords II (1995)—Areas A, B, and C, or even within Areas A, which is nominally under Palestinian civil and military administrative control—Palestinians are required special permits, specific license plates, and residency cards comparable to South African apartheid’s “pass books.” These discriminatory practices infringe on the everyday freedoms of Palestinians living in the occupied Palestinian territory (oPt), including access to education, health care services, and employment. Moreover, Israel has transformed Palestinian villages, towns, and cities throughout the West Bank and Gaza Strip into enclaves lacking any political or economic autonomy, enclaves commonly compared to Native American “reservations” in the US or “bantustans” in South Africa. Additionally, in legal terms and practice, Palestinians are governed and subject to military law—referring to curfews, travel restrictions, arbitrary and indefinite detention without trial—while Israeli citizens are subject to Israeli civil law. For instance, Israel tries Palestinians in military courts, where they face a 99.9 percent conviction rates and harsher sentences—while an Israeli settler is tried under civil law even though both live in the same area (Addameer 2018).

In 1948 Palestine, Palestinians are subjected to *de facto* and *de jure* third-class citizenship because they are denied “national” status, which is exclusively reserved for Israel’s Jewish residents. Israel enforces over 50 racist laws and administrative policies that discriminate against Palestinian citizens and residents (Adalah 2020). These policies infamously culminated in the “Basic Law: Israel – The Nation-State of the Jewish People,” referred to as the Nation-State

Law, issued by the Israeli Knesset in July 2018, which held that Israel is exclusively a state for Jewish peoples and demoted Arabic from national language status (Ben-Youssef and Tamari, 2018). Given all of this, the apartheid framework has been useful in illuminating similar material realities between Palestinians and Black South Africans.

Apartheid's legal status has offered the Palestinian Authority a vehicle for international advocacy—both legal and diplomatic, particularly following the Oslo Accords (PYM 2012c). Since 1974 but especially after Oslo, the Palestinian leadership emphasised diplomacy and appealing to the international community through forums. In 1974, the PLO earned permanent observer status as “the sole legitimate representatives of the Palestinian people.” This pivot to the international arena was intended to earn legitimacy and the diplomatic support of foreign countries. However it was not until the UN upgraded the status of the Palestinians to “non-member observer state” in 2012, that the Palestinians earned membership in a number of world bodies they previously were barred from entering, including the ICC. Since then, the Palestinian Authority has brought forward legal cases against Israeli politicians and military commandos. In 2018, the Palestinian foreign ministry urged the international court to investigate Israel for crimes against humanity and crimes of apartheid. Since then, several world powers have gone to extreme lengths to repress and nullify calls for an open investigation; however, the legal utility of the apartheid framework cannot go unnoticed.

The increased reference and utility of the apartheid framework has been instrumental for Palestine advocates, yet it has also compelled deeper explorations of the utility and challenges of the framework for a new generation of Palestinian youth thinkers and organisers. As South African scholar Ran Greenstein puts it, “Although the two are related [anti-colonial and anti-apartheid struggles], they have distinct features. An anti-colonial movement regards its struggle primarily as national liberation from external rule while an anti-apartheid movement aims primarily to transform relationships between internal forces” (Greenstein 2013).

Since its inception, the PYM has examined the utility of the apartheid framework as compared to other frameworks. In 2008 and 2010, PYM-hosted international workshops to explore how to utilise apartheid and human rights law as tools for advocacy without allowing it to define the nature of the struggle precisely because as Greenstein points out, an anti-apartheid struggle assumes that the conflict is an internal one and in effect might naturalise the presence of settlers rather than challenge the legitimacy of their colonial settlement (Greenstein 2013.) In 2012, the PYM attended the World Social Forum in Porto Alegre, Brazil and members participated in several workshops, one of which examined the relationship between settler colonialism, apartheid, and racism in Palestine (World Social Forum 2012). Building upon the historic claims of Palestinian scholars, such as George Jabbour's *Settler-Colonialism in South Africa and the*

Middle East, participants explored the history of settler colonialism in Palestine alongside parallel settler enterprises in places like South Africa (Jabbour 1970).

By June of 2012, the PYM came to articulate its critique of how movements that solely rely on a rights-based frameworks limited to the mechanisms of international law, risk reaffirming Western hegemony, which has been all but complicit in Palestinian subjugation and dispossession (PYM 2012d; Welchman, Zambelli, and Salih 2020). The PYM maintained that law must be used as a tool, not a defining framework, and affirmed the colonial character of Zionism insisting that while different frameworks might be more fitting to discuss distinct Palestinian geographies and communities, their collective condition must be considered together. The PYM also came to argue that while South Africa offers an effective comparison with Palestine, “the apartheid framework is not definitive of the Palestinian experience or the Zionist Project” (PYM 2012e). Moreover, PYM articulated that apartheid and occupation are mechanisms or consequences of colonialism rather than the over-arching framework defining the struggle (PYM 2012a). In a 2016 workshop held in Malmo, Sweden between members of PYM-US and PYM-Sweden, the apartheid framework yet again became a source of debate. Some members argued that by relying solely on an apartheid or racial civil rights framework for Palestine, integration would become the overarching goal rather than decolonisation.

In order to expand on the PYM’s early analysis and explore its ongoing debates, the movement decided to engage the apartheid framework and examine both its limitations and potential through an in-person study of the South African context. After two years of preparation, the PYM launched its Palestinian Youth Organizer Delegation to Johannesburg, South Africa in April 2019, hosted by the Afro-Mid East Centre (AMEC)(PYM 2019a). The objective of the delegation was to assess the current condition of the Palestinian national struggle through a comparative lens with South Africa’s anti-apartheid and anti/de-colonial struggle and ongoing challenges of economic and racial inequity. In order to include a wide range of the Palestinian experience and conditions, the PYM invited Palestinian youth organisers from different localities throughout occupied Palestine, Lebanon, Europe, the Arab region, South Africa, and the US to be part of the delegation.

In witnessing the conditions in South Africa and in meeting with community institutions and anti-apartheid strugglers, members of the delegation came to a better understanding of the differences and similarities between the Palestinian and South African contexts, the limitations of the apartheid framework, and lessons learned for the movement for Palestinian liberation. Building on a history of reciprocal solidarity and exchange between the South African and Palestinian liberation movements, delegates also sought to deepen a joint struggle understanding and rekindle these historic relations best embodied by Nelson Mandela and Yasser Arafat’s long-term relationship, and the material exchanges and trainings between the African National Congress (ANC) and the PLO. Witnessing the

conditions in South Africa affirmed a need to mutually engage to counter global systems that continue to subjugate those most oppressed. These findings were then illustrated in a number of reports, op-eds, and statements issued by the delegates where the youth delegates renewed their commitment to the South African people struggling against racial-capitalist exploitation and extraction (PYM 2019b). These theorisations have, since the conclusion of the delegation, informed new trajectories of PYM organising and analysis.

The first major takeaway was that to achieve true change, resistance movements must be composed of pluralistic approaches and methods. For example, while BDS campaigns have been instrumental in applying pressure to colonial regimes both in the South African and Palestinian context, they did not realise the *de jure* end to apartheid in South Africa alone. Alongside global boycotts, at the forefront of the anti-apartheid movement in South Africa was a robust, grassroots movement within the country led by various sectors of society, including students, women, and workers. Mass demonstrations, strikes, and armed struggle made South Africa ungovernable (Sales 1984). Labour unions, for example, played a pivotal role in the fall of the apartheid regime.¹³ Whereas Palestinians once had thriving grassroots social movements and armed struggle, these approaches suffered monumentally following the Oslo Accords. Today, the growth of BDS solidarity movements is insufficient to realising Palestinian liberation in the absence of a multi-pronged approach.

The second lesson the delegates drew was of the dangers of an unfinished revolution. Witnessing the severe racial and economic disparities that continue in South Africa following the *de jure* end to apartheid in 1994, delegates explored how neoliberal economic policies and a growing security state were weaponised against Black South Africans and how this sustained racial segregation and unequal access to land, wealth, property, and freedom in the looming shadow of the official fall of the apartheid regime. Delegates witnessed a snapshot of these inequities during a visit to Sandton, one of the wealthiest cities on the African continent, and the nearby Alexandra township, an overcrowded slum within a few miles' distance. Comparing these effects to post-Oslo neoliberal economic policies in Palestine, delegates grew increasingly committed to accounting for racial capitalism in our frameworks as well as interrogating negotiated settlements that do not account for complete decolonisation (Clarno 2017). This compelled the delegates to affirm that South Africa should not be

¹³ Historically, the South African economy depended on a large supply of exploited Black labour, especially during the height of the gold and diamond mining industries under colonialism in the late 19th century. In fact, the apartheid regime formalised native reserves, known as “Bantustans,” in order to control and regulate Black labor. However, in the Palestinian context, the settler-colonial order was largely predicated on excluding Palestinian labour from the onset of Zionist settlement. Palestinians were exploited for labour in construction and agriculture but it did not account for more than ten percent of Israel's labour force. Following the annexation of the West Bank and Gaza Strip in 1967, a reliance on Palestinian labour increased. Although Palestinian labour has historically demonstrated its political leverage—namely, the labor strikes of the 1936 revolt and the 1987 Intifada—it has not sustained enough power to threaten the Israeli state into concession as in South Africa.

considered a blueprint for Palestine because the struggle for complete decolonisation persists there. Further, it made the delegates interrogate the centuries of colonialism that existed in South Africa prior to the official start of apartheid in 1948 and question whether or not ending apartheid was sufficient to addressing persistent settler and racial colonial legacies in South Africa.

Witnessing the material realities caused by an unfinished revolution and incomplete process of decolonisation in South Africa made delegates more committed to accounting for social, economic, and gender justice as part of Palestinian national liberation frameworks and methods rather than as secondary to it. Consequently, this led to the delegation's third major takeaway: the importance of addressing the impact of gendered violence throughout the struggle rather than subordinating gender justice (and other social freedoms) to national/political liberation. By visiting the women's jail on Constitutional Hill, delegates learned about the racialised and gendered state violence perpetrated by the apartheid regime in the form of torture, dehumanisation, and sexual assault. From speaking with former anti-apartheid activist and feminist, Fatima Shabodie, delegates learned more about gendered violence within the movement which went unaddressed and was effectively silenced in the name of prioritising political liberation before social liberation. Studying the history of structural gendered violence and oppression that was never overturned following the *de jure* end of apartheid, delegates were able to make sense of why gendered violence and femicide persists in South Africa at alarming rates. Delegates concluded that their own Palestinian liberation strategies must also reflect their vision for a just society, which includes comprehensively addressing social, gendered, economic, and political oppression together (Qutami 2020; PYM 2019b).

The fourth major lesson delegates took away from the delegation was that apartheid does not account for global conditions of Palestinians. An important objective of the delegation was to assess the distinctions and parallels between the respective contexts through key frameworks, including apartheid, settler colonialism, and racial capitalism. The delegates, representing many distinct Palestinian experiences and constituencies, offered specific perspectives on the parallels between their realities and conditions in South Africa. The group debated the merits of these frameworks compared against their conditions: under military occupation in the West Bank, besieged in the Gaza Strip, third-class citizenship in 1948 Palestine, refugeehood in Lebanon and Syria, asylum in Europe, and residency/citizenship in the US. Their examination of these conditions led to the conclusion that frameworks of military occupation, apartheid, and siege, which largely dominate the discourse and strategy of post-Oslo solidarity activism, go so far as to explain the Palestinian conditions *within* historic Palestine. However, these frameworks alone fall short of explaining the multiple forms of structural oppression that shape Palestinian conditions beyond Palestine and do not account for over 60 percent of the Palestinian nation who live outside of historic Palestine. An analysis that accounts for all

Palestinian subjectivities is critical in order for the PYM to develop strategies that achieve the full rights and freedom of *all* Palestinians wherever they reside. This is key to redressing the way the Oslo Accords dismembered Palestine as one indivisible territorial unit and segmented Palestinian constituencies across politically unintelligible geographies.

After studying the South African context, the PYM resolved that it is critical that apartheid not be mobilised as an overarching *phenomenon* informing how we understand the *collective* Palestinian experience and methods of resistance, but rather as one facet with legal utility. Prior to its moral and political condemnation, which in part led to its codification within international law, apartheid referred to a systemic form of oppression that was specific to internal struggle within the South-African context, while negating the foreign-settler-colonial forms of seizure and oppression that instantiated the apartheid legal system. Whereas apartheid compounded broader racial colonial, capitalist, and settler-colonial systems in the South African region and across the African continent, it has since been legally refined and narrowly defined as a form of systemic discrimination and segregation based on race and ethnicity. On one hand, this codification of apartheid within a legal framework makes universal its utility; on the other hand, it risks reducing other contexts of oppression and struggle into one-dimensional or singular terms and perhaps even obscuring the core of the power differential in South Africa as it is rooted in settler colonialism. The delegates overwhelmingly agreed that apartheid within the Palestinian context needs to be understood and applied through a very specific analysis as *one characteristic* of Zionism—and that it cannot define the Palestinian struggle or the strategies that must be deployed to attain comprehensive liberation. Apartheid as an analytical framework describes certain aspects of the Palestinian condition but should not prescribe the means for changing that reality through resistance struggle.

As such, it is critical to maintain a deeper anti/de-colonial understanding of the struggle against apartheid in South Africa when drawing lessons for the struggle for Palestinian freedom. This allows for a retrieval of important lessons from the South African struggle that is not restricted by an apartheid legal analysis, instead accounting for three centuries of colonialism that preceded the formal beginning of apartheid in 1948 and its legacies that continue to shape conditions in South Africa even after the formal end of apartheid in 1994. Furthermore, an anti/decolonial paradigm enables movement-building strategies and praxis to implement a dual approach whereby strugglers are actively deconstructing existing oppressive systems through an anti-colonial lens and reconstructing political, social, and economic systems through de-colonial methods for the cultivation of the alternative world liberation that movements envision.

In an internal position paper on liberation, the PYM articulated an anti-colonial struggle as being achieved through dismantling Zionist structures: “This means that all Zionist colonial settlements and institutions must be dismantled

in order for the Palestinian people to reclaim their stolen land and history” (PYM 2012b). Simultaneously, the PYM articulated de-colonisation as the liberation of the land as well as the people: “Not only is Liberation of the land critical to our struggle, but so is the Liberation of our people. This involves liberating our people across multi-faceted dimensions (including class and gender)” (PYM 2012b). A vision of liberation includes decolonisation of the land; compensation and reparations for destroyed livelihoods; the redistribution of wealth, land, and power; the right of return for all exiled Palestinians; and full political, civil, and social rights. The dismantlement of the apartheid wall in the West Bank—and of the apartheid laws that restrict mobility, rights, freedom, and resources for Palestinians within historic Palestine—are but one component of the larger strategy to achieve liberation. Juxtaposing this lesson against the US history of racial segregation, particularly in the post-civil rights era, youth delegates from North America realised how a formal overturning of apartheid systems cannot realise comprehensive racial justice—as confirmed today by movements for Black liberation that carry on.

Racial oppression

Racial oppression frameworks have been applied to the Palestinian struggle for decades. (Jamal and Naber 2008, Naber et. al, 2006). In 1975, for instance, the UN adopted General Assembly resolution 3379 establishing that “Zionism is a form of racism and racial discrimination” (Massad 2015).¹⁴ This resolution and defences following its submission were partially derived from publications released by the Palestine Research Center (PRC), founded by the PLO in Beirut in 1965 (Feldman 2015). Fayez Sayegh, the Center’s initial director—who notably served as the rapporteur of the special committee established under the International Convention on the Elimination of All Forms of Racial Discrimination from 1968 until his death in 1980—was one of the key articulators of the racial dimensions of the Palestinian struggle (Feldman 2015).

His argument in support of resolution 3379 drew on various PRC materials, including his own 1965 piece, “Zionist Colonialism in Palestine,” which characterised Zionist settler colonialism as both an outgrowth of, and deviation

¹⁴ In keeping with general conventions regarding formatting, the resolution was referential, noting extant language previously used to criticise Zionism. This included resolution 3151 G (XXVIII) in which the UN General Assembly condemned “the unholy alliance between South African racism and Zionism.” It also includes resolution 77 (XII), taken up by the Assembly of Heads of State and Government of the Organisation of African Unity at its 12th Ordinary Session, which claimed “the racist regime in occupied Palestine and the racist regimes in Zimbabwe and South Africa have a common imperialist origin, forming a whole and having the same racist structure.” Furthermore, the Political Declaration and Strategy to Strengthen International Peace and Security and to Intensify Solidarity and Mutual Assistance Among Non-Aligned Countries, passed at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, found Zionism to be a danger to world peace and security and encouraged all countries to oppose it as a racist ideology.

from, coeval European colonial projects in its radical re-alignment of European Jewish identity with colonial supremacy over the land and people of Palestine. A later monograph by Sayegh characterises the “political anomaly” faced by Palestinians, whose rights were simultaneously guaranteed and preemptively abandoned by the UN, which treated post-WWII support of a colonial movement—Zionism—as sufficient attention to its own explicit injunctions condemning racism and discrimination (Feldman 2015, 38). But despite this anomaly, for Sayegh the issue was clear: Zionism’s claims to supremacy and justifications for differential treatment operated “under the generic concept of ‘race’” (Feldman 2015, 43).¹⁵

Palestinian articulations of the struggle as one against racial-colonial domination permeated in the latter half of the 1960s as Palestinians were forging anti-colonial alliances across Third World movements and with racially subjugated groups in first world countries (Abdulhadi 2009). The interface between liberation movements across the world such as the Black Panther Party, Algerian National Liberation Front, and Palestinian liberationist ethos and cross-political messaging and inspiration has become an increasing topic of scholarly examination that sheds light on some of these alliances (Abdulhadi, 2009; Daulatzai 2012). But the geographical porousness between analytics centring Palestine as a crucial entry-point to comprehending dynamic structures of race-making, as working alongside projects of settler colonialism, neo-colonialism, and imperialism, is also evident in the work of North American Arab American activist organisations, such as the Association of Arab American University Graduates (AAUG) founded in 1967.

This organisation put considerable effort into documenting the interconnection between the burgeoning military-imperial relationship between the US and Israel (especially after 1967) and the resultant media discourse depicting Arabs and Muslims as “barbaric terrorists” whose various forms of resistance to and criticism of Israeli colonial policy constituted a strategic threat to the imperial prerogatives of the West. Arab organising was then met with the inauguration of state-sanctioned, anti-Arab (and later anti-Muslim) surveillance programs in the US, spanning from the Nixon era’s “Operation Boulder” to the present-day “Countering Violent Extremism” program (Pennock 2017; Zahzah 2017). But while understanding a) the racial-supremacist conceits underpinning modern political Zionist ideology; b) the overlaps between U.S. movements for Black liberation, global anti-colonial struggles, and Palestinian liberation; c) the dialogic relationship between political/racial suppression, surveillance, and discursive demonisation on the US front; and d) the ongoing

¹⁵ The writings of early Zionist figures to which Sayegh and his contemporaries were responding make this abundantly clear. For example, as Nur Masalha writes, British Zionist Israel Zangwill’s racial views on Palestinians “can be seen in the publication of his book, *The Voice of Jerusalem*, in 1920. There, [Zangwill] advocated an “Arab exodus” that would be based on “race redistribution” or a “trek like that of the Boers from Cape Colony”, which he advocated as “literally the only ‘way out’ of the difficulty of creating a Jewish State in Palestine” (Masalha 1992).

support for Israeli colonisation is crucial, it is *also* important to understand how the material realities of Palestinian life under ongoing colonisation, occupation, and expulsion are *themselves* symptomatic of racial designs (Zahzah 2016). Groups such as the San Francisco based Arab Women's Solidarity Association (AWSA) affirmed earlier articulations of Zionism as a racist project in the aftermath of the September 11, 2001 moment. Its members, Nadine Naber, Eman Desouky and Lina Baroudi state: "Any state that officially and legally privileges members of one "race" or "ethnicity" over another and establishes national identity on the basis of race or ethnicity, is inherently racist. Therefore, Israel is a racist state that is founded upon a racist ideology that protects and preserves the rights of Jews only. That racist ideology is Zionism." (Naber et. al, 2006, p.99). While Palestinians and Arabs have drawn on their direct experiences to make such arguments for decades, broader scholarship has been very slow to take them seriously, so that, as Lana Tatour writes, "Despite race being constitutive to the Zionist ideology and to the structure of the Israeli state, there has been a neglect of race in the theorisation of the Israeli state" (Tartour 2019).

Andy Clarno's utilisation of Cedric Robinson's and Neville Alexander's frameworks of "racial capitalism"—the phenomenon by which capitalism is co-constitutively formed with colonialism and manifests within racialising formations in generating determinative rubrics of profit and extraction—to read neoliberal Palestine and South Africa side-by-side, is a contemporary piece of work that offers a key entry into understanding Zionism as a project of racial capitalism (Alexander 2003; Robinson 2005; Clarno 2017). Clarno diagnoses the terms by which the seemingly discrepant motions of military occupation, systematised segregation, biometric surveillance, and mobility control can be understood as operating all together in the procurement of larger economic gains through structural racialised containment and dispossession (Clarno 2017). As such, Clarno's work suggests how vicissitudes of seizure and occupation can be considered a form of racialisation.

Palestinian bodies held captive in carceral systems developed by the Israeli military occupation are not merely dispossessed, nor is their containment an economic and moral cost for Israel to maintain its so-called "security." Israeli containment of Palestinian bodies is a racialised design that intersects with its settler-colonial logic of elimination, as Joudeh has pointed out, and yields considerable material and psychological profits for the Israeli state (Joudeh 2020). First, it allows for the creation of a robust security, war, and surveillance apparatus that has expedited the growth of racial-carceral techniques and technologies—first tested upon Palestinian bodies and land, then exported to global border, surveillance, policing and prison regimes. Utilising lexicons of "terrorism" to justify its racial design historically, following 11 September 2001 (9/11), Israel declared itself the forerunner of the global "War on Terror" and its economic profit derived from arms export grew exponentially in the decades that followed (Netanyahu 2001). Therefore, the racialised Palestinian

body, which is not traditionally considered an exploited labour subject through a narrowly defined settler-colonial design, still is an important component of capitalist accumulation by the Israeli state, demonstrating the co-constitutive nature of racial domination, settler colonialism, and capitalism (Robinson 2005; Alexander 2003). Zionism can thus be seen as Palestinian historian Rashid Khalidi states, “as a carceral enterprise, which is designed to control, confine, and dominate the Palestinians living in these areas. The most extreme example of this strategy is the treatment of the Gaza Strip” (Khalidi 2014). As these technologies are racially weaponised against Palestinians under siege and occupation, they are exported to other racially-violent regimes to police racial subjects under doctrines of containing “criminality” in places including Brazil, India, and the US (International Jewish Anti-Zionist Network 2012).

Second, the cultural demonisation of Palestinians as so-called “terrorists,” post-1967 and especially post-9/11, legitimises Palestinian dehumanisation—resulting in important psychological and discursive effects that sustain international support for Zionism and the Israeli state via a false premise of Israel always operating from the position of defensive struggle. In the Zionist imagination, Palestinians are racialised nonhumans, the ultimate threat to Israel’s so called peace-loving democratic national imaginary, who must be exterminated or contained at all costs. (Qutami and Zahzah 2020, 79).

In current Palestinian activist circuits in North America, racial dimensions have been primarily understood through analogies and comparisons, especially with Jim Crow segregation or South African apartheid, as a substitute for articulating ‘racial-colonialism’ and ‘racial-capitalism’ in the Palestinian context. Reliance on analogies and comparisons reflects a broader inability to name how race operates distinctly in the Palestinian context, or how Zionism racialises Palestinians, or how racial oppression—in all these contexts—constitutes more than separation/segregation. The PYM has thus worked to deepen its understanding of racial struggle beyond notions of ethnic/racial “separation,” and factored racial colonialism, carcerality, and capitalism in its analysis on and organising for Palestine (Kelley 2019; Qutami 2020).

The PYM’s understanding of Zionist racial containment thus cannot be confined to the policies and systems that exist within the state (i.e., apartheid), but should include the role that Zionist forced play in mass surveillance, racialised criminalisation, weapons manufacturing, and the global exportation of military and surveillance technologies, as well as in cooperation with other state and non-state actors. We recognise these forms of racialised repression as a form of criminalising Palestinian communities globally (and other racially oppressed peoples), and attempting to neutralise the political activity, organisation, and mobilisation of Palestinians and allies worldwide in order to quell dissent that challenges Zionism as a status quo (Bhungalia 2015; Hussain and Greenwald 2015; Mustafa 2019). These theorisations have shaped PYM’s

organising campaigns in alliance with other anti-racist struggles, especially with Black communities in North America, precisely because they inform racial oppression of our own communities there as well.

In addition to the South Africa delegation, the PYM has engaged race through organising in coalition against the Department of Homeland Security's (DHS) "Countering Violent Extremism" (CVE) initiative (Department of Homeland Security 2020),¹⁶ as well as similar surveillance programs by the FBI, including "Preventing Violent Extremism (PVE) and the "Black Identity Extremism" framework (Nguyen 2020). Through town hall meetings, the production of research portfolios, and protest actions, the PYM has offered the integration of an anti-Zionist framework and analysis to broader anti-racist state violence organising and coalition-building in the US, demonstrating the way Israel has utilised lexicons of "terrorism" to criminalise Palestinian dissent even before 9/11. More importantly, such coalitional work hones in on the centrality of Israel's role in building the ideological and material infrastructure of the global War on Terror—and its resultant racialised grammar, and policies—which have disciplined and punished counter-hegemonic movements beyond those of Palestinians, Arabs, and Muslims.

The PYM draws links between how new tactics and weapons inflicted upon Black and Brown communities by police forces in the US are oftentimes imported from Israel, even as Israel historically learned its racist designs from countries like the US. Part of the PYM's work includes examining how the logic structuring the CVE program associates radicalism and extremism with resistance against oppressive foreign and domestic policies in the War on Terror context and illustrating how efforts to quell Palestinian political dissent have always been framed as an anti-terror project by Zionist forces globally and their allies (Center for Constitutional Rights 2007). For example, the PYM hosted an event in 2017 to commemorate the 40-year anniversary of the Los Angeles Eight (LA8), a case whereby seven Palestinian students and one Kenyan woman were criminalised for their activism in support of Palestine. This PYM event honored members of the LA8 for their contributions to the struggle and their tenacity despite excruciating surveillance and repression campaigns levied against them for decades. Drawing links between histories of anti-Palestinian surveillance and repression in the US with the Trump administration's newly-issued Executive Order dubbed the "Muslim ban" and the CVE program, the PYM directly connected historic policies meant to stifle political dissent to their newer iterations.

Building upon the PYM's anti-surveillance organising, recently the PYM has more seriously focused on building campaigns in support of prisoners. The PYM understands the importance of prison abolition organising as part of anti-racist work because it understands prison expansion in the US, both following

¹⁶ The CVE program is housed under the DHS office of "Targeted Violence and Terrorism Prevention" and has recently been re-branded as the TVTP program.

the abolition of slavery and in the aftermath of the 1960s Black power and civil rights movements, to be a mechanism of continuing on and re-organising anti-Black state violence (PYM and NSJP 2020). In a 2017 statement published on Palestinian Prisoners Day, the PYM expressly illustrated their joint-struggle ethos between Black, Indigenous, and Brown communities, while drawing direct links between Palestinian prisoners in the homeland with Palestinian prisoners in the US. The statement read

We further recognize that the connection between our colonization and incarceration extends to the US: Rasmea Odeh, a renowned organizer within the Chicago community for forty years, was imprisoned in November 2014, allegedly for false procurement of naturalization, but in what was undoubtedly an attempt to silence her for her outspoken support and activism for a liberated Palestine. It is not new to Palestinians that carceral systems have long been used to de-legitimize our cause, break our morale and spirit and silence political activism. In the US the prison's centrality in the ongoing legacies of racial chattel slavery and indigenous genocide means that US prisons are critical sites of racial and settler-colonial subjugation and oppression [...] From the US to Palestine, we recognize that true liberation will only come with the end of racist and settler-colonial prisons and police forces (PYM 2017a).

In addition to supporting the campaign to defend Rasmea Odeh, the PYM has also engaged prisoner support campaigns of other Palestinians in the US prison system who have been punished for their political activism for a free Palestine. The primary effort has focused on the Holy Land Five (HLF), a group of Palestinian community leaders that have been criminalised for offering humanitarian relief to Palestinians under occupation back home (Bhungalia 2015).

The arrest and convictions of the HLF are not isolated from the transnational and historical racial legacies of both US and Zionist racist state violence that have been more overtly bridged through the War on Terror. The Free the HLF campaign demonstrates the way the PYM's theorisation accounts for the racialised containment of Arab, Muslim, and Palestinian communities in the US, which is driven by the political efforts to stifle dissent against Zionism and toward sustaining the US alliance with the Israeli state. However, a lesson PYM learned from the Free HLF campaign is that the imprisonment of Palestinians in the US is also linked to a historical continuum of the US's racial carceral regime, which has assassinated, deported, or imprisoned the political leadership of various radical anti-racist and anti-colonial liberation movements. The campaign has opened up avenues for Palestinian youth in the US to learn about previous surveillance projects, such as the Counterintelligence Program (COIN-TELPRO) and the resultant assassination, forced exile, and imprisonment of scores of Black Power and Indigenous movement leaders, from Fred Hampton and Assata Shukur to Leonard Peltier and beyond.

Foregrounding an analysis of Zionism as a project of racial oppression, containment, and capitalism serves as a basis for the PYM's joint-struggle organising with other communities resisting racist state violence, further expanding

how organisers understand racial oppression to be a quintessential characteristic of colonial and capitalist enterprises. It is for these reasons that the PYM partook in the popular revolts against anti-Black state-sanctioned violence following the murder of George Floyd and Breonna Taylor in 2020. Joining a number of protests across the country, the Houston PYM chapter also organised a Palestinian solidarity delegation to the funeral services held by the Floyd family. In addition, the PYM printed t-shirts that read “Palestinians for Black Liberation” and sold them to raise funds for Black organisations sustaining the uprisings of the moment. While demonstrating its political and ethical commitments to Black freedom struggle, the PYM was also able to make tangible links between the Minneapolis police department (and other US police departments) and their cooperation with Israeli security, police, and intelligence training over the last decade. These material links affirm the joint-struggle ethos guiding the PYM in its work against racial carcerality, capitalism, violence, and oppression.

Conclusion

Today, Palestinian youth movement practitioners in North America are rejecting the abandonment of collective liberation and the sidelining of committed intellectualism ushered into Palestinian political life via the Oslo Accords. They do this through attempting to locate themselves in relation to both their own Palestinian national struggle and the various causes and communities that have contributed to shaping their critical consciousness, passion for politics, and commitment to liberation. Deeply inspired by frameworks, analyses, and strategies fomented by Indigenous, Black, refugee, and migrant communities and through an intellectually engaged movement praxis, the PYM is exploring the mechanisms of maintaining and developing joint-struggle relations—just as it is experimenting with how to revitalise the role of the Palestinian *shatat* in their own national struggle.

It thus becomes incumbent upon upcoming generations of organisers to experiment with a methodological calculus that merges theory with practice and that explores various global frameworks of power and oppression as we develop and centre Palestinian-specific theorisations and methods. This process is not easy nor free of complexity. However, to attempt it, to continue to do so while paying astute attention to the risks in such a complex task, we might realise different outcomes rather than hollow solutions to the current crises affecting Palestine and the Palestinians. Thus, we continue to ask: how can we continue to develop a joint-struggle ethos and praxis with other communities, geographies, and causes without flattening distinctions? How can this methodological approach result in a rich theorisation for understanding Palestine and how might such theorisations be instrumental in guiding new ideas, methods, and strategies to realise freedom in Palestine and everywhere?

For Palestinians historically and today, Zionism persists as the specific and comprehensive framework that shapes Palestinian conditions globally. As articulated in one of the PYM's internal position papers on solidarity, Palestinians are struggling against a specific form of oppression under Zionism that enacts a "trilogy of Colonialism" that includes apartheid, racial oppression, and third-class citizenship; ethnic cleansing, genocide, and displacement; and military occupation, including exploitation of labour, land, and culture (PYM 2012e). Zionism, as a structural system with an extensive economic, military, and political apparatus, operates as a settler-colonial project seeking to establish and maintain both the erasure and containment of Palestinians, as the work of Joudeh, Jabbour, Ghanim, Sayegh, and many more Palestinian scholars illustrates. Its power operates both within the homeland and globally. By refusing to truncate the fulsomeness of Zionist oppression presently and historically when engaging in exilic joint-struggle praxis, we ultimately arrive at a richer comprehension of how the Palestinian struggle globally converges with other anti-oppression causes. Further, we can examine how our present joint-struggle praxis compares with past forms of resistance and builds upon the rich intellectual and methodological histories that came before us allowing us to always re-consider how to accept responsibility and be better co-strugglers to other freedom fighting communities.

Finally, we affirm that theorisation is not subordinate to, but co-constitutive of, organising and joint-struggle praxis. Cultivating a critical reflexivity among the new generations of Palestinian youth struggling globally for national liberation is the surest means of rejuvenating an intellectual culture of committed engagement to the liberation struggle. In this way, we can separate Palestinian intellectualism from the individualist trappings afforded to it by the Oslo Accords paradigm, supplanting it instead with the preceding vision of collectively-produced intellectual analysis and criticism in service of national liberation. The PYM continues to engage this work on topics that the scope of this essay did not allow us to reflect. The pursuance of a comprehensively just future and outcome to our anti/decolonial struggle means maintaining this critical reflexivity wherever we find ourselves. It means engaging the latest developments regarding broader intellectual conceptualisations and contextualisations of the Palestinian struggle from the vantage point of an accountable intellectualism committed to historical fidelity to our anti-colonial histories, and the procurement of genuine Palestinian liberation and freedom for all oppressed peoples. Just as in every phase of our historic struggle, time will not pause to allow for a complete theorisation that can guide our actions and service. Thus, we remain committed to allowing our practice to inform our theorisations and vice versa. History has shown that this can be the only suitable practice for true revolutionary struggle.

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Chapter Twenty

Reading Alana Lentin: Race, Revenge, and the Figure of the Palestinian in Contemporary Germany

Anna-Esther Younes

Writing sterile and short book reviews full of jargon in times of an overabundance of information and fake news seems like an outdated profession. It may well be timelier to summarize the work we appreciate and find important and apply it for our readers so that people not only hear about it but can also understand its political and intellectual endeavour through applied examples and context. The book “Why Race Still Matters” by Alana Lentin is one of such books that I discuss at length in a time of a “Europe in crisis”, as some scholars would argue. At the same time, I build on Lentin’s argumentation and bring in what I coin racial “white nationalist revenge-binds”, applying both Lentin’s work and the concept of racial revenge-binds on a German context and the Figure of the Palestinian. This book review essay addresses the need for “racial literacy” in the German racial state, especially with regards to questions of antisemitism and anti-Muslim racism.



The Great March of Return

2019 | Light jet print mounted on matt diasec. 200 cm diameter. In the museum collection of The Arab World Institute in Paris, and the Contemporary Art Platform, Kuwait.

Source : **Steve** Sabella, <https://stevesabella.space/pages/the-great-march-of-return>

Introduction

In this longer (book) review-essay, I summarise Alana Lentin's book *"Why Race Still Matters"* (2020) and present it from the vantage point of its importance for a German context in conjunction with questions of Palestine and the Palestinian Diaspora (see also Younes 2022a). The arguments presented unfolds in two parts. In the first part, I provide examples from Germany to the summary of Lentin's work, for people interested in issues around Palestine advocacy or theorisations in Germany. The second part offers an elaboration on what I call white nationalist *"Racial Revenge Binds."* This part builds on and transcends Lentin's work and uses it to theorise further the Figure of the Palestinian in a German landscape. It can be read in conjunction with Lentin's theorising and zooms in on the politics of emotions in colonially inferred modern Germany.

For Alana Lentin, race is "a technology for the management of human difference, the main goal of which is the production, reproduction, and maintenance of white supremacy on both a local and a planetary scale." (Lentin 2020, 5) Within this local and planetary matrix, Lentin references Dr. Cheryl Harris of critical race theory (CRT) prominence, and stresses the relationality and the production of Otherness in the service of Whiteness:

Thus, race must be understood relationally as a process of racialization that attaches to various groups of subjugated peoples differently but which coheres in the service of white supremacy. (Lentin 2020, 120)

Throughout the book, Lentin continues to highlight the fact that *race* as a concept has been colonially and historically configured, with its "capacity for racial logistics to adapt" (Lentin 2020, 50) leading to an ever-changing (and yet often all too similar) institutionalisation of race and its social workings that go beyond the bodily or biological. Referring to Stuart Hall's "politics without guarantees," she states, "I propose that difficult conversations about race are taking place among those whom it affects, and it is the responsibility of everyone to reject defensiveness, and to listen and engage" (Lentin 2020, 15). In a Feminist and Fanonian spirit, emotions are thus crucial in the generating of knowledge for Lentin:

But I also want you to get angry, because, far from a useless emotion (Lorde 1982), it is anger against the injustice that makes race still matter that will pave the way to that freedom; not a selective anger, but a relational one, an anger that, despite my appeal not to leave race behind just yet, motivates us to seek a day when we can do exactly that. (Lentin 2020, 15)

A German context: Race, critical theory, and identity politics

Lentin's intellectual anchor stems, on the one hand, from her lived experience of growing up as a (white) European Jewish woman in an "almost monolithically Catholic" Ireland (Lentin 2020, 3), while having been "born on colonized Palestinian land, the granddaughter of refugees from fascist Romania" (Lentin 2020, 4). Lentin's writing style is fast-paced, clear, and filled with personal anecdotes and policy examples from North America, Europe, Australia, and New Zealand. Women, people of colour, and indigenous writers, thinkers, and activists are epistemologically centred. "Why Race Still Matters" was written at a time when president Trump aimed at "interdicting" the expertise of scholars of race/racism, labelling their thoughts "un-American propaganda." To top it off, he also shared his views that "critical race theory, white privilege, or any other training or propaganda effort [sic] that teaches or suggests either (1) that the United States is an inherently racist or evil country or (2) that any race or ethnicity is inherently racist or evil" shall be censored (Harris 2022). More specifically, the 22 September 2020 official executive order of the Trump administration on "Combating Race and Sex Stereotyping" states that such identitarian logics deflect from what is truly important for the nation, namely "our common status as human beings and Americans" (Executive Office of the President 2020).¹

In American administrative visions, the blurry concepts of "being human" and being "an individual" seemingly *trump* historically grown, politically reproduced, and socially managed and marginalised group identities including their stratifications in society.² Although neither "human" nor "individual" is defined in the document, it becomes clear that anti-racists and others are marked as aggressive citizens or as threats to social cohesion and, therefore, to the state. Trump's administration might not be representative of every Western government. Yet, partial overlaps are hard to ignore when it comes to issues of racism, for instance, and can nevertheless be observed elsewhere, too. Furthermore, what is seen as "un-American" by Trump and

¹ Read: "Today, [...] many people are pushing a different vision of America that is grounded in hierarchies based on collective social and political identities rather than in the inherent and equal dignity of every person as an individual. This ideology is rooted in the pernicious and false belief that America is an irredeemably racist and sexist country; that some people, simply on account of their race or sex, are oppressors; and that racial and sexual identities are more important than our common status as human beings and Americans." Trump's executive order was revoked by President Biden on 20 January 2021 (Office of Federal Contract Compliance Programs 2021).

² Here, some black people, people of colour, workers, non-abled people, women, queers, non-Westerners, and animals, etc., may contest the claim that they are being treated just as "human" and as "individual" as their white, middle/upper class peers, for instance.

his allies in the United States (US), namely race critical and whiteness theories, is often seen as being very American in Europe, also in Germany.³

In Germany, contestations to conversations about racism, critical race theory, or decoloniality are on the rise at the same time that decoloniality, intersectionality, and feminism have become buzzwords in middle class and university circles. What appears at first as a political contradiction, is also productive in other ways: Fantasies and ideas of and about Palestine serve as a vibrant conduit *and* pacifier for debates on coloniality, settler-colonial rule, and population control across borders. When speaking about decolonization, the latter also shows how contradictions in a political economy serve to mark and materialize the boundaries for permissible research, speech, and politics by furthering the class chasms between different sites of power. While the economy sets the boundaries for employment, politics set the boundaries for content and speech – both work in tandem and are one and the same.

When speaking about race in Germany more broadly, let's consider, for instance, the order of the former German minister of interior Horst Seehofer. In 2019, he supported that the concept of anti-German hostility (*Deutschenfeindlichkeit*)⁴ was introduced into nation-wide criminal police statistics as a new (hate crime) category alongside the introduction of "xenophobic criminal acts." According to state statistics, the category of "anti-German hostility" "*Deutschenfeindlichkeit*" counted 132 criminal acts that year and was seemingly predominantly executed by what these reports call "foreign ideology" (*ausländische Ideologie*) (BKA 2020, 6). The introduction of "anti-German hostility" as a hate crime, happened exactly two years after "anti-Muslim racism" was introduced, for the first time ever, as a statistical category in 2017. In 2016 alone, anti-Muslim racism accounted for up to 3,000 attacks (at times deadly) (Younes 2017). In the wake of the 2015 "refugee crisis,"⁵ Seehofer even proclaimed that "migration is the mother of all problems" (Younes 2018).

³ In 1999, for instance, even well-known left-wing intellectuals such as Bourdieu and Wacquant set out to specifically critique the "globalization" and "universalizing" of American ideology and its social "problems" (Bourdieu and Wacquant 1999, 46), such as "race," in their piece "On the Cunning of Imperialist Reason". The problem of race is, according to them, a "US folk-concept" (Bourdieu and Wacquant 1999, 48). Defiantly, Bourdieu and Wacquant attested that "the imported concept adds nothing to the knowledge of European societies" (Bourdieu and Wacquant 1999, 49).

⁴ In German: *Deutschenfeindlichkeit* or "hostility toward Germans." The latter will be used interchangeably with "anti-white racism."

⁵ In 2022, it became clear that refugedom takes on different meanings in Europe when the victims of war are strategically important for geopolitical rule on the European continent (i.e. Ukraine). For political justifications of the war, it did help that people are white, Christian, and geographically close/r to Western Europe as many news reports highlighted people's blue eyes, for instance. This empathy for white resistance also found expression in the difference to how the Palestinian struggle is usually narrated in Western media, as Mohammed El-Kurd observes: "In recent months, a New York Post headline praised a "heroic" Ukrainian suicide bomber. A psychologist interviewed by New York Times described "anger and hate" in the context of occupation as "a normal reaction and important to validate," stating that such hate should be "channelled into something useful," like "making incendiary bombs." (El-Kurd 2022).

This policy, which seemingly ac/counts for racism, ushers in a double-move, which eclipses a professed state transparency around racism at the same time it avows it. It also effaces the fact that race and racism as structural problems are executed by social, economic, legal, and political power. As will become clearer later on, this structure of talking about racism while not talking about racism will become more important for an understanding of the role the figure of the Palestinian plays in Germany.

Chapter I: “Race Beyond Social Construction”

In her first chapter, Alana Lentin takes up the delicate and unfortunately all-too-timely question of “racial science,” which permeates white Europeanised societies through the spectre of “racial realism.” According to Lentin, *racial realism* is a concept that formulates popular beliefs around race as something that is scientifically provable and can thus tap into common-sense knowledge that is socially and politically valid and relevant (for instance, statistics). As a concept, “racial realism” is meant to counter the antagonistic concept of “social constructivism,” which holds on to the core idea that society is the result of historical myth-making, repeated narratives, and desires to imagine community. For Lentin, the most visible and refurbished form of such old tropes around “racial realism” crystallise around deoxyribonucleic acid (DNA)-testing, genetic science, medicine, and “the development of technologies of security and surveillance for the control both of ‘unruly’ racialised groups and of migrants and asylum seekers at the highly policed borders of the Global North” (Lentin 2020, 18). The spectre of “racial realism” is thus a materialising discourse that fortifies the blending together of tropes around “race” on the one hand, and “culture” on the other. If the majority of impoverished people, the percentage of criminalised bodies in prison, or the lower achievement rates in education are predominantly people of colour, for instance, “racial realism” would explain the latter due to “the culture” those people possess. Culture thus stands in for the manifest realities racial science and racism created, by making racism appear as “common-sense,” as “innate qualities,” or, simply, as the naturalised “history of a people.” Such polarisations then pose a problem for our discussions around race in society, according to Lentin. The old mantra of anti-racists that race is a social construct but has real effects, is then echoed by equally valid counterarguments from racial realists: why call ‘white’ people ‘white’, if it’s all just a social construction—isn’t it perpetuating racism to speak of ‘race’ and ‘colour’, rather than deconstructing it?

Since arguments such as these emerge just as much from social constructionist epistemologies, they can equally be weaponised by racists or by anti-racist. Lentin alerts us to think through the notion of “racial realism” and understand that our current language to talk about race and racism is insufficient—as

scholars as well as public intellectuals, we often find ourselves trapped in the “construction” vs. “biology” debates. She also argues that the large majority of people are still “illiterate” in reading and understanding race or racism as what it is, then falling victim to culturalised notions of supposed “ethnic incompatibility” given the all-encompassing nature of the system of racial realism in our society.

Germany: The racial realism described by Lentin also exists in Germany—albeit not only through Seehofer’s statistics. The mainstreaming of anti-Muslim racism between arguments around “construction” vs. “biology” became a vital force governing society when Thilo Sarrazin, then member of the Social Democratic Party (SPD), published his book called *Germany does away with itself/ Deutschland schafft sich ab* in 2010. In that book, he propagated amongst other things the philo-Semitic trope that Jews are inherently smarter than the average (white) German, whilst Muslims are inherently more stupid, primarily producing “headscarf-girls,” “döner shops,” or “vegetable stands,” as he stated. In a public environment like this one, where the most radical counter-arguments revolved around “racism is a construction,” statistics were weaponized by the other side: Sarrazin argued with social statistics that “Muslims” are inherently less intelligent by quoting datasets that do not explain context. Arguments such as these motion toward an in-assimilability of Muslims, Blacks, Africans, Arabs, etc., and eventually lead to, i.e., fantasies of “ethnic replacement,” where Muslims, will “over-populate” and thus “erase” native (white) Germans (Bracke and Hernandez 2020). The way to argue against such racial realism was to “re-read” said statistics by a team around Prof. Naika Foroutan (2010) that pointed out the racist work involved in “reading” statistics without context. In her book, however, Lentin argues that “race” has never had any scientific grounding and can therefore not be argued with or even refuted solely on so-called “scientific grounds”. Lentin instead calls upon academics “to be better at explaining *what race does*” (Lentin 2020, 28), adding that

Focusing our arguments on whether race is or is not about biology is meaningless outside of academia because ‘underlying socioeconomic structural racism is unaltered.’ (Lentin 2020, 32)

Hence, while even academics cannot really pinpoint *what race is precisely*, Lentin’s main critique counters “back-and-forth debates” around i.e., “statistics” with an analysis of social “il/literacy” when it comes to understanding *what race does* and how it appears in a given time and space. Utterations of “race being social construct” is thus nothing but a “conservative goldmine” for race apologists, for it is unable to give an account of what race actually *is*. This predicament makes it harder for anti-racists to even argue in public against racial realists, such as Sarrazin. At the end of the day, in the “racial state” (Goldberg 2002) debates like that finish on matters of “opinion.” They were also not able to stop the Patriotic Europeans Against the Islamization of the Occident

(PEGIDA) or the Alternative for Germany (AfD) in their rise to power only a few years later. What one is left with then is an inevitable trap in responding to polemic arguments, instead of being able to explain structures and what “is social about race” (Lentin 2020, 31).

In this first chapter, Lentin wove together how a “race illiterate” public can fall prey to arguments of race realists, because of the insufficient understanding of race per se and the way we as academics have communicated counterarguments. In times of white supremacist identitarian politics in the globalised West, the old colonial trope of population replacement is thus the logical conclusion re/surfacing, due to collective non-knowing. Sarrazin, for instance, not only alluded to biological notions of race and culture (he positively cited the *The Bell Curve* as explaining how the virtue of intelligence is bestowed on Jews but less so on Muslims), but also essentially argued that “Germany will do away with itself” (reminders of colonial replacement theories and white death anxieties), if native (white) Germans do not stop the take-over by such undesirable subjects—an argument that still today falls on fertile ground in the “marketplace of ideas” (Lentin 2020, 50). Giving an account of Sarrazin’s racial realism and his anti-/ and philo-Semitism therein, Sander Gilman (Gilman 2012, 59) argued that it is primarily Sarrazin’s anxiety about Muslims that shapes his argument about (smarter) Jews. Thinking with Lentin’s argument, such racial and mental logistics to understand society adapt through time and space. It stands to reason that, today, the figure of the “Muslim” in Germany is used as a bargaining tool to negotiate the relationship between white Germans and Jews writ large (Tzuberi 2020; Younes 2020).

Chapter II: “Not Racism™”

Lentin’s next chapter jumps directly onto the “marketplace of ideas” where racism has become a matter of opinion. Therein, she confronts those who argue against “multiculturalism” whilst claiming to not be racist. Accordingly, Lentin takes us on a policy journey through Australia, France, the United Kingdom (UK), and the US to exemplify the relationality of race and the discursive and performative regimes it follows when denying *and* reproducing itself. In the French context, she sets out to defend antiracist decolonial writer and activist Houria Bouteldja who, in 2011, was legally charged with anti-French racism and has since been treated like a “witch” in French society (see also Mechaï 2020). For Lentin, the perversion of notions such as “anti-white racism” can only be explained as an act of revenge on behalf of the state in the context of a rising “movement of autonomous antiracist intellectuals” (Lentin 2020, 61). Such politics of revenge against the weak in the racial state are, according to Lentin, exemplified in not allowing non-white citizens the same right to “bandy words about or make puns like any other French person” (Lentin 2020, 60). I

read such politics as revenge politics, built on the perpetual fear (and its incumbent empire logic) of losing control over global and national narratives:

The question of who can control the definition of racism has grown in importance almost as a function of the lack of control that many racialized people have over the determination of their life course. (Lentin 2020, 59)

In my reading of Lentin's work, historical perversion thus come together with revenge-politics in the intricacies of such narrative control. The all too known mantra of the white "lone wolf" shooter, narrated as troubled, but not as racist, is elaborated on by Lentin as a foil upon which social narratives are lived out:

First, racism is characterized as an excessive ascription. Second, alternative definitions or racism that diverge radically from what most people on the receiving end of racism understand it to be are offered in its place. The (re)definition of racism as universal, ahistorical, and a question of individual morality, rather than being structurally engendered, is the linchpin on which 'not racism' hangs" (Lentin 2020 63)

But it does not stop there. Lentin goes further in analysing the old realisation that European anti-racism can exist without anti-colonialism (aka: anti-racism ≠ anti-colonialism). Lentin explains that the de-linking of anti-racism from anti-colonialism was possible because "racism" for Europeans was first discovered and talked about in Europe when discussing antisemitism and fascism in the 20th century—colonial atrocities and domination were not understood as racism per se, nor has antisemitism been seen as a European product of colonial racism.

Lentin additionally argues that if racism happens in Europe, it is still predominantly understood as an exception to the norm and not as constitutive of Europe. This then adds another dimension to said predicament: if antisemitism happens, its threat is understood to come from the racialised and former colonised Other (Africans, Arabs, Muslims, anti-Zionist Jews, the anti-imperialist Left, and queer politics) instead of white supremacy. This will be further elaborated on in her chapter on the "Good Jew/ Bad Jew" (see also Younes 2022a).

Germany: The Halle-shooter that stormed a German synagogue on Yom Kippur in 2019 is a good example for this argument. Calling his manifesto "Techno Barbarism," the man wrote in English to communicate to his internationally organised white supremacists through today's lingua franca:

So why, you may ask, did I choose this target. It's the nearest location with a high population of jews, simple as that. Even then, I need to drive 45 minutes, which is quite a lot of time to get detected and intercepted. I originally planned to storm a mosque or an antifa "culture" center, which are way less defended, but even killing 100 golems won't make a difference, when on a single day more than that are shipped to Europe. The only way to win is to cut of the head of ZOG [*Zionist Occupied Government*], which are the kikes [*Jews, derogatory*]. If I fail and die but kill a single jew, it was worth it. After all, if every White Man kills just one, we win. (Halle Shooter Manifesto, 2019)

The white supremacist fantasy that Jews undermine white European societies by bringing in colonial subjects and left-wing ideas is an old one that was over the past years again mobilised by the overwhelming majority of publicly orchestrated antisemitic attacks in North America and Europe. However, said stereotype also hinges on the fact that Jews were treated like colonial subjects in Europe, exterminated and worked to death equal to their counterparts in the colonies once Germany decided to turn Europe into its *Lebensraum* enterprise post-World War One (Young 2001, 2). The fear and projective fantasy that Jews would “undermine” white society, changing it to a more multicultural/cosmopolitan/etc. society, is presented through a falsifying white supremacist narrative and paranoid lens of the loss of “white culture,” which in turn makes Jews responsible for “white genocide”— the latter narrative unfolded in Pittsburgh or Poway, USA, or in Halle, Germany, attacks in 2019.

The disguised neoliberal taboo of labelling racism as “not racism” or “not white supremacy” then leads to the extension of such narratives to those who want to talk about race or racism. Accordingly, it is non-white intellectuals or groups that are accused of furthering race and racism in Europe by way of talking about it, whereas white identity politics are understood as, for instance, German cultural self-interest against foreign invasions or cultural take-over. “Racial self-interest” on race-realist-terms are best exemplified as calls for the maintenance of German culture in mainstream German politics, as well as, on its more pronounced and vocal fringes.

Interestingly, Lentin finishes the chapter on critiquing white academia, which still rather promotes “migration studies.” The latter understands human movement predominantly within “post-racial” epistemologies, which does not connect its investigations to race critical literature or racial capitalism, as Lentin remarks. Although Black Panther intellectuals have already highlighted and coined the term “institutional racism,” Lentin points out that our race critical knowledge about institutions⁶ has not led to successful engagements with breaking said structures. Instead, Lentin points to the contradiction of a culture endorsing anti-racist buzzwords, whilst maintaining the structures that led to the need for the former:

A Eurocentric concept of racism advanced by a structurally white academy is unable to fully encapsulate colonially constituted racial domination, leaving us with a situation where, despite the competing existence of a ‘black analytics’, racism remains ‘more objected to than understood’. (Lentin 2020, 74)

⁶ According to former Black Panther Dhoruba bin Wahad in his lecture in Berlin (3 October 2020), institutions are built to *remember* techniques of suppression that worked and that did not work; whereas social movements, due to the repression they face, have to learn techniques of resistance anew every time and in each generation. The event was hosted by Free Mumia Berlin, ISD Berlin, Migrant-tifa Berlin and Rote Hilfe Berlin and can be found on Facebook under: <https://www.facebook.com/events/751264899053149/>.

Furthermore, the separation of anti-racism from anti-colonialism is epitomised in Germany when speaking of Israeli politics. The conflation of anti-racism with colonial attitudes leads to an erasure and silencing of Palestinian voices (and existence), and a demonisation (but not a silencing) of anti-Zionist Jewish narratives on the ticket of antisemitism accusations (Zuckermann 2010; Fischer 2016; Younes 2020).

Chapter III: “Making it About Race”

The next chapter tackles how “not talking about race” permeates the entire political spectrum—regardless of political affiliation. From the so-called “Left” to the “Right,” Lentin stipulates that when it comes to arguing for race, gender, and sexuality (and more) it is predominantly seen as a “reduction” of very “complex” political issues to “identity politics” (Lentin 2020, 96). Discussions on race, gender, sexuality are thus not seen as contributing to a debate but as hindering, leading de facto to a deflecting from the actual issues at stake. Next to that, antiracism is caricatured (Lentin 2020, 95) by those opposing it, depicting its intellectuals and writers as springing from a post-modern university elite, who seemingly understand themselves through (self-serving) victim narratives.

Lentin also tackles the Left, where, as she observes, racism and race are often seen as an “educated middle-class” topic, which in turn is pitted against the aforementioned “more complex” problems of economic hardship of the working classes. Therein, ironically, self-conceived class interests are ostensibly figured as white only:

The desire to silence talk of race with the aim of encouraging greater interethnic unity, while commendable in theory, is impossible if it involves the denial of facts. Yet these facts are drowned out when talk of race is heard only as an accusation of racism rather than a critical analysis of how racialized power structures operate through class, nationalism, citizenship and gender. (Lentin 2020, 102)

Thus, when race critical scholars nevertheless insist on using Whiteness as an analytic and then get caught up in accusations of furthering identitarianism, Lentin cuts right through and asks:

With this in mind, I want to ask, what if talking about identity politics as a distraction from antiracism were not *itself* a distraction from antiracism? (Lentin 2020, 109)

The latter argument builds the background for her next argument, which takes on Asad Haider’s book *“Mistaken Identity – Race and Class in the Age of Trump”* (2018). There is unfortunately neither enough time nor space to

eloquently represent Haider's argument.⁷ What can be said, however, is that he sets out to trouble movement politics in his US-based California homestead. Embracing a performativity analytics where identity-making happens through interpellated social interactions that are repeated, but open to change and not fixed to biological bodies, Haider falls short to give an account of how to translate that into a material critique of the anti-racist movements he describes in California. Although Haider is arguably "on to something" with his definition of "identity politics as the *neutralization* of movements against racial oppression," it is sometimes not quite clear what he understands as identity. He then also writes: "Race, gender, and class name entirely different social relations, and they themselves are abstractions that have to be explained in terms of specific histories" (Haider 2018, 11). This is where Lentin's critique comes in to take on Haider's issues with "Afropessimism" and, what she views as Haider's main concern, namely his take on the "primacy of victimhood in antiracist rhetoric" (Lentin 2020, 127). Given the limitations of this text, I want to focus on Lentin's argument which claims that Haider unjustly reads "Afropessimism" as the culprit for failed or identity-coopted movement politics (Lentin 2020, 115). Although Lentin also critiques Afropessimism for its analytical statism (i.e., the immanent social death of the black body), she nevertheless believes Haider's critique of identity politics—similar to debates in France and Germany as discussed above—struggles with the often-times crushing and crushed materialisations of demands for social justice amongst progressives. Lentin therefore asks its (most likely) academic readership the following:

We have to ask why debates that take place within universities have come to stand for problems in antiracism writ large. We might also ask where this leaves antiracists who are not students or academics. (Lentin 2020, 114).

Lentin continues to argue for a race analytic that is global-yet-local in reach, process-oriented and moving between the concepts of biology (i.e., colour) and the more sociocultural (i.e. Du Bois' racial "badges"). Whilst remaining locally rooted in any understanding of racism, it is not always easy (neither for movements, nor for intellectuals) to straddle the lines in a global system that has often appeared to the many as a "catch-22." The more one tries to get out of it, the more one realises one is trapped between political choice and the social constraints imposed by our own subjectivity and location. One of the outcomes of a structural debate that views race, gender, and sexuality as defective of "real politics" also most likely produced a Federal Bureau of Investigations (FBI) optics which then put "black identity extremists" (aka Black Lives Matter, see Spéri 2019) on the US terror list. Victimising the powerful and blaming the victim via the tropes of an "angry" identitarian or

⁷ There are two reviews that provide a quick and elaborate overview. One is a favourable review by Tarnoff 2018 in *The Guardian*, and another one was written by Carpenter 2018 on Social Text Online. See references.

even “reverse-racist/ anti-White” mob then becomes especially important for her last chapter.

Germany: Again, this can be applied to German structures, in particular on the so-called Left: Marx-21 (Marx21 2020), a network of people in the party “Die Linke” (The Left) that is still on the radar of the intelligence services, has also been nicknamed “Muslim21” by antagonist fractions inside Die Linke due to its anti-imperialist stance *and* support for Palestinian rights. Marx-21 is also regularly mentioned by the public internal German intelligence service (Verfassungsschutz, VfS) since 2011, due to their (amongst other things) supposed “entrism.” “Entrism” here names an ideology that is aimed at the infiltration of antagonistic groups/parties with the goal of changing an (institutional) ideology from the inside (BMI VfS 2011, 192). The surveillance and attendant “muslimization” of supporters of Palestinian human rights in Germany (Qasem 2020) is a discursive trope present throughout all political spectrums and clearly shows the conflation of anti-imperialism/decolonisation with (anti-state) conspiracy theories (see also Zia-Ebrahimi 2018).

A Facebook post from said “left-wing” internal antagonists illustrates their anti-Marx21 posture in just a few polemic sentences:

If you're tired of regressive [average] people like marx21 and want to puke your guts out about Islamism-appeasers, Israel haters, and other dolts who got stuck in the class struggle, then you've come to the right place. Against all fascism, racism and antisemitism, progressive approaches for the critical handling of fascists of all colors and a lot of bullshit, trashtalk and punchlines against various leek revolutionaries. (Anti marx21, 2018)

In Germany, throughout the political spectrum, such anti-Muslim racist narratives on the Left have a genealogy. In this vein, Leandros Fischer reminds us that left-wing—or formerly left-wing intellectuals—are indeed often revered in mainstream discourses due to their “expert status” in a given topic/field. That is especially true when it comes to discrediting other competing left-wing narratives (Fischer 2016, 84). The pacification of the more radical fringes of left-wing thought, or else the mainstreaming of left-wing thought is thus the logical conclusion of pitting left-leaning narratives against each other. Fischer observes a paradigm shift whereby accusations of antisemitism—formerly directed at the German Right for its historical revisionism—are directed today at Muslims and the radical (anti-imperial) Left, in the guise of a “New antisemitism” due to the “criticism of Israel that is prevalent among these two groups” (Fischer 2019, 34; and Fischer 2014). According to Fischer’s work on the subject of antisemitism as a political tool and narrative amongst the Left in Germany, the pluralisation of white left-wing debates, along with the stigmatisation of its more decolonial and anti-imperialist arguments amongst them, then also directly correlates with the rise of anti-Muslim racism in Germany and Europe in general, following the beginning of the so-called “War on Terror” in the early 2000s.

Chapter IV: “Good Jew/ Bad Jew”

For a German context, Lentin’s last chapter might be the most interesting and indeed most needed intellectual input (see also Younes 2022). Lentin sets out to interrogate the pronounced binaries between what is structurally interpellated as “good Jews” and “bad Jews” in white (supremacist) narratives. Lentin argues that Jews in a post-Holocaust and post-racial time are hyper-humanised—a typical philo-Semitic trope—which Lentin directly connects to “state philosemitism” (Lentin 2020, 164, citing Houria Bouteldja). The latter philo-Semitic structure then in turn constructs what Lentin calls the “good Jew vs. bad Jew” binary. In this matrix of interpellating favourable minorities, and then splitting the latter into the “good and bad” apples, is paradigmatic for Lentin when she talks of antisemitism being weaponised by white supremacy against other minorities (Lentin 2020, 136). She argues, “[t]he political utility of antisemitism today is not to illuminate the operations of race, but rather to obscure them.” (Lentin 2020, 137) In a third step, Lentin points to the hierarchy of race and racism in this matrix. Lentin continues to argue that a white antisemitism optic is used as a “technology of and to rule” racialised Others. That same optic uses “cipherization, its availability to racial rule and the proxification of antiracism as well as the attendant construction of good and bad Jews as intrinsic to the re-/production of antisemitism (Lentin 2020, 168).

Adherent to such perverse yet productive libidinal fetishisation is thus the silencing and invisibility of living white Jews, an almost complete historical erasure of Jews of colour, as well as of anti-Zionist Jews writ large. Such silencing of a *living Jewish body* that rejects notions of victimisation and suffering (Lentin 2020, 169) is thus sidelined for a narrative of Jewish life that continues *surviving* the concentration camps. Such continuously racialising historical developments need to be read through the prism of a white European post-Holocaust narrative, as well as through the prism of political Zionism (Israeli nation-building). Finally, Lentin thus attests that “by constructing a figure of the ‘innocent Jew’ (Assoun 2019), the complexity of Jewish existence is flattened” (Lentin 2020, 167).

However, next to flattening the existence of what it means to be Jewish in relation to the state, Lentin also sees a binary system of “good antisemitism” vs. “bad antisemitism” at play in this overall discourse on what antisemitism comes to mean today. The former (the “good antisemitism”) is the philo-Semitism of the white racial state that weaponises Jewish survival and suffering to re-structure borders, minority rights, and imperial ventures. The “bad antisemitism” in this matrix is reserved for the figure of the Muslim/Arab or anti-colonial antisemite, the far right, or else, the anti-imperialist Left. Another

way for Muslims (and others) to clear their “name” of this interpellation is to join the war against “bad Muslims” that are antisemitic, whilst the general suspiciousness of Muslims remains. In this vein, it is important to highlight Mahmoud Mamdani’s scholarship:

Judgments of ‘good’ and ‘bad’ refer to Muslim political identities, not to cultural or religious ones. For those who have difficulty thinking of cultural (and now religious) identity as distinct from political identity, don’t forget the predicament faced by earlier conscripts of Western power. Was not the secular Jew, first in Europe and America and then in Nazi Germany, compelled to recognize that Western modernity had turned ‘the Jew’ from just a cultural or religious identity to a political one? Was not historical Zionism the response of secular Jews who were convinced that their political choices were limited by this political identity imposed upon them? (Mamdani 2004, 15)

The flattening categorisations into good and bad political Jewish identities, as well as the misuses of antisemitism as described by Lentin, are thus the necessary prelude for the weaponisation of antisemitism for *white political purposes* in the racial and imperial nation-state.

Germany: Next to the racist “flattening of Jewish identity” as it unfolds in German politics today (Tzuberi 2020, Younes 2020), the framing of Jewish identity through a desired “muscular Judaism” (Presner 2007) as a core and at the same time marginal Jewish identity in Germany, forecloses political and historical inquiries into whether Jews could also be both: subjects (victims) and agents of (European) empire. In a similar vein, Sarah Stein argues that the reason this differentiation is so often avoided is due to the fear of (perpetuating) antisemitism, which then results in what she calls the “three intellectual allergies”: a historical focus on Jewish colonial intentions that is reduced to looking at the modern Jewish colonial project in Palestine; an essentialising image of ‘Jewish powerlessness’; and finally, a decoupling of Jewish subjectivity from imperial ventures and economies of the historical past (Stein 2005, 15). However, over the past two decades (arguably even longer, see Fischer 2016, 72-78), German policy did not tire in producing public scandals that bring together said binaries of good vs. bad Jew, or good vs. bad antisemitism, thus relegating historical questions of coloniality, Jewish subjection and agency in empire politics, and questions of power to the anti-Semitic borderlands of internal and external Europe and, finally, to questions of im-/migration. Yet, it is precisely in inflicting and participating in white colonial violence (Davis 2012; Presner 2007) abroad or in the settler colony itself, as James Baldwin provocatively argued (Baldwin 1967), that Whiteness is (conditionally) bestowed upon certain (racial) minorities (i.e., European Jews) whilst others remain or are being excluded from it.

Building on Lentin: Racial revenge binds

and Germany

In this book-review essay supplemented by my own comments and readings of Lentin's work, I hopefully showed why Lentin's concepts mirror racial developments in Germany. Following, I will extend aspects of her work and zoom in on the figure of the Palestinian in a German colonially produced context in which Palestinians are not only met with an economic punishment when being too vocal about pro-Palestinian advocacy, but also one of psychic projections.

In a seemingly binary world framed as situated between Western pro-Israelism and non-Western anti-Palestinianism, German Palestinian scholar Sindyan Qasem observes emotional convergences in Germany where the "idea of Palestine [is] tied to feelings of danger" (Qasem 2020, 71). Qasem uses Sara Ahmed's conceptualisation of "sticky relations" (Ahmed 2011; 2014) in the wake of the war on terror, in which Ahmed uses this notion to understand how Islamophobia operates within the 'war on terror' through repeated semantic proximity: through the repetition of associations (i.e., with Islam and Terrorism), ideas of terror, violence, and danger get "stuck" to particular groups of people, entrenching and essentialising the racism they face. Qasem draws on Ahmed's optics and through them reads public policy documents and public intellectual contributions that converge on figuring the idea of the Palestinian and Palestine as an immanent terrorist threat to Germany. This figuration of Palestine and Palestinians then serves as a vessel propelling general anti-Muslim racism further, including their allies that are—at the same time—"muslimized" (Qasem 2020). In this historically grown enmeshment, which converges around said figurations, Qasem also draws our attention to the public proliferation of the idea that "post-colonial theory" is seen as anti-Semitic, too (as example see Deutsch 2020 and his attack on Dr. Achille Mbembe). Palestinians, the anti-imperial left, and people of colour allies are put in proximity to Islamism and Terrorism via post-colonial theory (Qasem 2020, 86-87) as a seemingly epistemological beginner's drug for the former. It is here where Judith Butler comes to mind, arguing in *Frames of War*, that such historically repetitive and harmful stigmatisation practices "work both to preclude certain kinds of questions, certain kinds of historical inquiries, and to function as a moral justification for retaliation" (Butler 2004, 4). Such analytics, I claim, mirror Germany's national governance through antisemitism work, as well as, through "non-racism" (see Lentin 2020).

Sticky relations: Naziism *and* Islamism as a common projection

During the time of writing, in November 2020, French critical race, decolonial and whiteness theory and the attendant academics teaching those theories were blamed for instigating "anti-white hatred" and "Islamism," and for allegedly preparing the ground for the beheading of teacher Samuel Paty.

The Ministry of Education and around 100 French academics supported these accusations with a manifesto subtitled: “against Islamism and Islamoleftism at Universities” (LE MANIFESTE DES 100, 2020). The fact that the “perpetrator, Abdoullakh Abouyedovich Anzorov, was an 18-year-old who had never been to university”—as Musab Younis (Younis, 2020) pointed out in his critique—deserves further inquiry and fundamentally troubles said accusation. As a response, Lentin and other co-signatories hence wrote:

The ‘Islamogauchiste’ tag (which conflates the words ‘Islam’ and ‘leftists’) is now widely used by members of the government, large sections of the media and hostile academics. It is reminiscent of the antisemitic ‘Judeo-Bolshevism’ accusation in the 1930s which blamed the spread of communism on Jews. The ‘Islamogauchiste’ notion is particularly pernicious as it voluntarily confuses Islam (and Muslims) with Jihadist Islamists. In other words, academics who point out racism against the Muslim minority in France are branded allies of Islamist terrorists and enemies of the nation. (Alana Lentin And Co-Signatories, 2020)

Although one might argue that the historical origins of Islamism have to be found in identitarian and “nativist” reactions to modern colonial (Western) empire politics and local pro-Western elites (Tariq Ali 2002), it is getting even more normalised to narrate and conflate Islam, Palestine, and Naziism in modern European discourse (Younes 2022b). Such ideological currents, as they exist in France (Fadil 2020), exist in a similar fashion in Germany. In 2019, around a month after the racist attack on the synagogue and a döner shop in Halle by a white supremacist as mentioned above, the German Rectors’ Conference (HRK) issued a statement condemning antisemitism and proposing to ban boycott, divestment, and sanctions (BDS) initiatives from German campuses:

There is no place for antisemitism at German universities. The HRK General Assembly supports the resolution ‘Against BDS and all forms of antisemitism’ of the Young Forum of the German-Israeli Society, the Jewish Students’ Union Germany, the Free Association of Student Unions, the AstA of Darmstadt Technical University and the AstA of Johann Wolfgang Goethe University in Frankfurt, as well as university groups close to political parties such as the Juso University Groups, the Liberal University Groups, Campus Green and the Ring of Christian Democratic Students. [...] The International Holocaust Remembrance Alliance’s (IHRA) definition of antisemitism, which is also recognized by the German government, provides a clear basis for recognizing hatred of Jews and is thus an important tool in combating it. Therein Israel-related antisemitism is also taken into account. The member universities of the German Rectors’ Conference strongly welcome this definition of antisemitism and would like to see it established at all university locations. (HRK 2019)

Akin to the “Islamogauchisme” accusations in France that conflate scholars of colonialism and racism with an ostensible “authoritarian terrorism,” the reaction of the HRK conflated white supremacist violence against Jewish and Muslim communities with an ostensible Palestinian antisemitism – thus, turning potential victims into perpetrators. Moreover, it also conflates a grassroots

and human-rights-based movement initiated by Palestinians under colonial conditions with white supremacist (Nazi) violence. Such discursive formations are symptomatic of a wider social dynamic of performative anti-racism paradigms that in a first move deny that it is racism (Lentin's "non-racism") and in a second move, project their racist deeds/fantasies as originating from the racialised Other (Lentin's "proxy-racism") and not from the white Self. Such openly white supremacist attacks have, on the one hand, doubled-up on anti-Muslim racism and, on the other hand, been responsible for a (new) transnational normalisation of anti-Jewish and anti-Muslim racism via publicly staged shooting sprees. Yet, although both groups are affected by this orientalist double-bind, a public performance of openly violent anti-Jewish racism is today often mediated by socially produced optics of "Muslim antisemitism" or "Israel-related antisemitism."

Palestinian as foils for fascism

In Germany as well as in Europe, figurations of Palestinian landscapes and bodies stand in as ready-made vessels to be filled by various interlocutors to push forward a regressive agenda of imperial, white-supremacist, and anti-left discourses. On the 71st Nakba Day (15 May 2019), for instance, the motion "Firmly opposing the BDS movement – Fighting antisemitism" clearly positioned BDS as anti-Semitic and akin to Nazi ideology and history (Deutscher Bundestag 2019, 2). Andreas Geisel, then Berlin's Senator of the Interior, interpellated the German intelligence services in an interview with the German newspaper *Die Zeit* to surveil the BDS movement. Upon being asked why the interior intelligence services should become active, according to Geisel, BDS is in itself a threat to the "free democratic basic order" of the German constitution, and thus of the nation per se;⁸ it can only be understood through the lens of "Nazi Germany" and no other (Stark 2019). This quite symptomatic statement signals an unwillingness to engage with non-European perspectives and positions a post-colonial approach to the past. It also presents de- or post-colonial politics as comparable to "anti-(German)-state" ideologies, as anti-imperial Marxist or Anarchist Leftism or Muslim organizing are often understood by the German intelligence reports.

Time will tell how the narrative of boycott and its attendant accusations of Naziism or Islamism will be framed in a post-Ukrainian war world. While boycotting the powerful is never without risk, boycotts of fascism, authoritarianism, or imperial warmongering is predicated on seemingly flexible testaments of judgement by those who are capable of actually imposing material

⁸ "We have been stepping up our efforts to combat antisemitism in Berlin for several months now; we have established antisemitism officers in the police and judiciary. We have set up a round table against antisemitic violence. That is good and important. But I also believe that the German intelligence authorities [*Verfassungsschutz*] should take a closer look at BDS and its anti-Israel positions." (author's translation from German)

restraints. The boycott against white apartheid in South Africa is just one example: it took around 25 years for the international community (powerful states and companies) to heed the call of black South Africans to boycott a white supremacist settler colonial apartheid regime.

White nationalist revenge-binds

It is in the political intricacies of these narratives that the ritualistic re-/production of the “Palestinian Other” as a threat to society finds expression of a seeming anti-Western or anti-white racism (Younes 2020). At the root of such political manoeuvres and “revenge-binds” is a crisis of political legitimacy that seeps through the Western world and its political, economic, and social institutions, as well as its universities. What I propose to call *white nationalist revenge binds* is the material, cultural, and psycho-social projection of racialized hatred onto the racial Other, while the response to the system by the colonised or racialised is evaluated against the material and psychological “structure of feelings” of dominant culture (Williams 1954, see also Fanon 1967, Fanon 2007). In such a scenario, the person or group will automatically be perceived as in the wrong, no matter what they do or how they respond. Given the limited options of response, such racial double bind prevents the group or person from resolving or opting out of a given accusation or situation. Public critiques of the messages or policies of white national interests are often seen as insulting, rude, *and/or* outrightly aggressive (Fanon 1967, 2007). Hatred, anger, or aggression are often assumed on behalf of Black people, the colonized or Indigenous, or, similarly, women (Srinivasan 2018). What I call white revenge-binds thus concretely taps into a Fanonian theorisation in which affect *and* emotions are colonially constituted (see also Lentin 2020). In such a racial matrix, the racial Other is usually positioned vis-à-vis “structures of feelings” of those in power. The latter in turn demarcate certain emotional or discursive reactions as legitimate and respectable since they stand in for white transnational interests. It is thus not surprising that the “emotion the conqueror puts into his pedagogical work, his prayers, his threats, weave a whole universe of resistances around this particular element of the culture” (Fanon 1965, 47). Yet, precisely because the non-white gaze will always be present and gaze back at white supremacy (hooks 1996), it is the patrolling of these very emotional borders of political legitimacy in times of racism and colonialism that secures a structure in its very social foundation.

In this vein, Judith Butler comments on the Rodney King court case in the US. She mentions the prosecution and jurors understanding the video’s content of brutal police violence inflicted on Rodney King, a Black man, as self-defence on behalf of the Los Angeles Police Department (LAPD). This nonsensical viewing, or negation of reality, is only possible in what Butler calls a “racially saturated field of visibility” thinking with and through Frantz Fanon: “[The] video was used as ‘evidence’ to support the claim that the frozen black male body on the ground

receiving blows was himself producing those blows, about to produce them, was himself the imminent threat of a blow and, therefore, was himself responsible for the blows he received" (Butler 1993, 19). Butler argues that a paranoid field of white visibilities thus produces inversions of reality just as well as they produce a mirror of emotional and affective structures in a (white dominated) *racial* state (Goldberg 2002). Such emotional and visual fields of knowledge production are thus there to frame the racial Other as the source of violence and as responsible for the violence imposed on them. That way, a racial structure depending on moral and ethical support by its citizens rationalises (away) a racial structure by making those not benefitting from white supremacy responsible for not benefitting from it due to their innate (ethnic/character) traits.

On German television, violence inflicted on Palestinian bodies is also produced within a "racially saturated field of visibility," which frames Palestinian bodies as incapable of being victims of racist violence; instead, they are more often "seen" and "understood" as aggressors or else as responsible for the violence exercised upon them. Hence, the actual words of "I can't breathe" or "We want to live" are not heard for what they are (Thompson 2021), but are seen as manipulative attempts to disguise anti-Semitic intentions. In a way, such a white field of seeing is the psychoanalytic moment where "I accuse *you* of what I am guilty of in a classic form of projection" and self-denial (Puar 2009). In this scenario, the victim of powerful structures is not only blamed for the violence inflicted upon them in the past, present, and future. The victim is also accused of fantasies or acts of physical violence against their oppressor and resistance to settler colonial apartheid is understood as "desires for revenge" that materialise as antisemitism. Fears of brown or Black vengeance then come to stand in as white projections, projected onto the Other in order to continue inflicting what I accuse the other of being responsible for: violence.

Furthermore, what others might simply call "victim-blaming" is not the full picture in a Fanonian understanding of white possessive investments into a transnational governing structures on the material and psychic level. In the production of (white) racial revenge-binds, revenge does not stop at "blaming the victim." Revenge, after all, in a psychoanalytic framing, is a rationalised "affect" which by way of psychic and cultural economic circuits reproduces sanitised arguments for violence through which the beaten-down body and figure of the racial Other keeps being re-/produced as a figure in need of a beating (see Butler 1993). Such Fanonian analytics thus not only produce the cultural structures enabling reifications of *the victim as perpetrator* but also produce the *perpetrator as a victim*. By occupying the position of judge, jury, and executioner, the coloniser and/or white nationalist wins not only the war over narratives, but also owns the prerogative to inflict violence at any time. It is via the politics of emotions as described above that white German ideology today finds a narrative of justified violence via a shared investment and relationship to colonial violence and

conquest (Presner 2007; Riegert 2009; Davis 2012; Braach-Maksvytis 2011, El Bulbeisi 2020) and ostensible militaristic defence (Younes 2022b).

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Chapter Twenty-One

A Political Analysis of the BDS Campaign in Switzerland (2010-2020)

Birgit Althaler, Jorge Gajardo, Mary Honderich, Anne Spagnoli and Roman Vonwill

This chapter offers a political analysis of BDS (Boycott, Divestment and Sanctions) achievements in Switzerland over the past 10 years, and has been written by activists involved in this work. It begins with a brief description of the Swiss political context with regards to specific themes interacting with the Israeli/Palestine conflict. It then describes the growth of the BDS movement on a national level and three different national campaigns that contributed to its growth. It analyses the current challenges facing BDS – the attempt to criminalize legitimate groups that defend Palestinian rights and the attempts to equate a political criticism of the Israeli policies with antisemitism. Finally, the contribution lays out strategic perspectives of BDS work in Switzerland.



The Great March of Return

2019 | Light jet print mounted on matt diasec. 200 cm diameter. In the museum collection of The Arab World Institute in Paris, and the Contemporary Art Platform, Kuwait.

Steve Sabella, <https://stevesabella.space/pages/the-great-march-of-return>

Introduction

The Palestinian question is part of this form of resistance, a global resistance, to authoritarianism, to the reduction of the space left to protest, and to the suppression of freedom of expression, but also to their root causes... So, our job is to say to everybody, "Well, we are all connected. Israel's colonialism and apartheid policy are closely linked with what you see in your countries, and Italy and the United States and other countries are also linked. Either we move towards a more humane, more social agenda, with more social support, more medical care, more education, or we continue towards more environmental destruction, more warfare, and endless wars". (Barghouti 2020) This chapter offers a political analysis of the Boycott, Divestment, and Sanctions (BDS) campaign in Switzerland. Specifically, it examines the BDS campaign's struggles and achievements over the past ten years, and is written by activists involved in this work. The argument in this chapter is developed across three parts.

First, it begins with a brief description of the Swiss political context, mentioning questions that could have an impact on the Israel/Palestine conflict. The second part describes the development of the BDS movement in Switzerland. In particular, it describes and reflects on three different campaigns—a consumer boycott of Israeli and occupied Palestinian territory (oPt) produce sold by Migros and Coop, a cultural boycott of *Culturescapes* 2011, and a military embargo concerning the Swiss army's acquisition of Israeli drones; campaigns that contributed to the increased support of BDS at the national level. Third, the chapter analyses the current challenges facing BDS, manifested in attempts to criminalise legitimate groups that defend Palestinian rights and attempts to equate political criticism of Israeli policies with antisemitism. Finally, our contribution lays out strategic perspectives on future BDS work in Switzerland.

The Swiss context

A small country with a population of approximately 8.5 million, Switzerland is made up of four language regions with different sociopolitical sensitivities. Whereas in the 19th century Switzerland was a country of emigration, it has—since the 1950s—become a country of high immigration. After the Second World War, Swiss industry (which had escaped wartime destruction) and other sectors of the economy made massive use of foreign labour, initially from Italy, then from Spain, Portugal, and Kosovo, among others. In the 1960s and 1970s, a strong xenophobic movement emerged, resulting in three campaigns to expel "foreigners." Although these initiatives were narrowly rejected at the polls, the theme of foreign "overpopulation" remains rooted in Swiss actuality. Its immigration policy, based on the rejection of foreigners (particularly Muslims), is among the most restrictive in Europe.

On the international scene, Switzerland has historically based its reputation on its famed neutrality. However, Swiss foreign policy is mainly focused on economic interests, which have sometimes compromised that neutrality. For instance, Switzerland did not hesitate to maintain relations with Nazi Germany. In the 1980s, Switzerland also did not take part in the international campaign to boycott the apartheid regime in South Africa (Bott, Etemad, and Guex 2005). On the contrary, it came to the aid of the South African government. In this respect, Swiss banks played a key role in the marketing of South African gold in the free markets. It is highly improbable that the Swiss government was unaware of the arms exports to South Africa and South Africa's secret nuclear transactions. Currently, the Swiss governmental policy of neutrality has not prevented the sale of arms to Saudi Arabia, a country engaged in a war in Yemen. As with South Africa, Swiss economic interests in Saudi Arabia have taken priority over the government's War Material Ordinance.

For decades, the conservative right has retained the parliamentary majority at the Swiss federal level. The tradition of a coalition government (*Konkordanz* or "magic formula") introduced in 1959 is a specific Swiss feature. It exerts strong pressure towards the alignment of the political positions of the bourgeois majority and involves the integration of the left into this majority policy. The Swiss Socialist Party (SSP) is the second largest party in the country as far as parliamentary seats are concerned. However, in the Federal Council and in agreement with the spirit of the coalition, the SSP loyally participates in the implementation of the right-wing majority politics. From 1999 onwards, the rise in strength of the populist and xenophobic Swiss People's Party (SVP) upended the political landscape. As a result, the government's orientation shifted even further to the right, reinforcing its stand on the "external threat" (Europe, immigrant workers, and refugees, especially racialised people and Muslims).

As far as Israel and Palestine are concerned, Switzerland, like other European countries, promotes the two-state solution enshrined in the Oslo Accords and accepts the obligation of the Zionist state to withdraw from the oPt. Switzerland, however, does not exert any specific pressure on Israel to respect international law. Rather it restricts itself to supporting political dialogue and to expressing "regret" and "concern" in the face of various measures and decisions taken by the Israeli government. In 2003 and under the leadership of Federal Councillor Micheline Calmy-Rey (SSP), the Federal Department of Foreign Affairs (DFAE) did take one specific step when it supported the Geneva Initiative between 2003 and 2009 (Centre for Humanitarian Dialogue n.d.; Geneva Initiative 2003c).

It should be noted that, in its 2011 annexes, the Geneva Initiative abandons the right of return of Palestinian refugees to the 1948 territories to the "sovereign discretion" of the Israeli regime—even though it invokes United Nations General Assembly Resolution 194 (Geneva Initiative 2003b). Israel would thus

define the number of Palestinians eligible to return, without having to acknowledge its responsibility for the mass expulsion of refugees between 1947 and 1948. According to this plan, the responsibility for refugees would have been delegated to the international community, and with this stroke of genius the individual rights of refugees would squeeze out the rights of Palestinian refugees once and for all (Geneva Initiative 2003a).

Among the parties represented in the Swiss Parliament, the SVP and the traditional right-wing parties are allies of Israel. In the SSP some members defend the Palestinian cause, but others are actively pro-Israeli. Insofar as the SSP avoids taking a position on the concept of the “Jewish” state and Zionism, it is, in fact, participating in the consensual politics of the right-wing majority. Foreign policy issues are not a major concern of the Green Party, which has avoided taking in-depth political positions on the Israeli-Palestinian question. Finally, the very close cooperation between the Swiss army and its Israeli counterpart has to be taken into account. This will be further discussed in the section concerning the military embargo.

The history of BDS in Switzerland

Before the international call for BDS was launched in 2005, there were already several pro-Palestinian groups and associations active in major Swiss cities. Their work largely consisted of organising solidarity meetings, publishing relevant material, and carrying out specific actions in defence of the Palestinian cause for the right to self-determination, freedom, equality, and justice. This solidarity movement consisted primarily of two currents with different orientations. The first one focused mainly on the Israeli occupation in the oPt. From this perspective, the position was that one could perhaps speak about apartheid when referring to the oPt, but certainly not use this analysis in relation to Israel itself. Thus, for these activists, the main problems stemmed from the illegal occupation and the increasing colonisation of the oPt. The second current, basing its analysis on the discriminatory nature of Zionist ideology, criticised the discriminatory character of Israeli policies in all the territories under its control, and in Israel itself. In the beginning, the more comprehensive approach of the BDS movement, which provides a constructive tool to bring about structural change, was opposed by some of the pro-Palestinian activists. It took some time for a broader analysis to emerge in the solidarity movement.

A second aspect, which for historical and cultural reasons plays a more important role in German-speaking Switzerland, revolves around the strategic use of the boycott as a means of pressure. Zionist circles systematically try to associate the concept of a boycott with the racist policy of the Nazi regime,

which had called for a boycott of Jewish shops in the 1930s. Some activists, therefore, fear that the boycott could be characterised as being anti-Semitic. That is why BDS Switzerland has always placed a strong emphasis on explaining that the use of the targeted boycott against discriminatory structures and policies has nothing to do with a racist anti-Jewish approach; that it is a tactical means and will end as soon as the structural discrimination of the Palestinians is overcome.

These debates—around the practice of apartheid in Israel, as well as the conflation of anti-Zionism and antisemitism orchestrated by the Israeli government and its allies in order to criminalise the movements defending the rights of the Palestinian people, and in particular BDS—have impacted the work of BDS in Switzerland. Initially, the BDS movement was seen as too radical (i.e., too political) by many Swiss activists who were reluctant to deal with both the issue of discrimination within Israel and the refugees' right of return. However, as soon as the BDS call was launched in 2005, a group in Basel began to build the basis for replicating the campaign in Switzerland (i.e., website, information, dissemination, first actions). Different groups were established in the larger cities: either existing solidarity groups gradually added their support to the BDS campaign in their regular work, or new groups devoted to the BDS campaign were created. A national coordination committee of Swiss BDS activists from different cities was established where different projects, national campaigns, newsletters, local activities, and meetings were discussed. As BDS Switzerland works in synergy with the international BDS movement, many projects involved relaying international actions and campaigns.

BDS Switzerland has two sources of funding. On one hand, there are donations from individuals or groups that support us. On the other hand, the association Palästina-Solidarität Region Basel, whose income comes from donations to the Palästina-Info Revue (PaSo) (BDS Suisse n.d.) has been providing significant funding for the past 15 years. It should be added that BDS Switzerland operates largely on the basis of voluntary work. Staff costs have been limited to one part-time person for the past few years.

National campaigns

The Swiss democratic system of direct democracy gives citizens the possibility of organising referendums or initiatives that, if they obtain the necessary number of signatures, are submitted to a debate and later a vote in the parliament. Nevertheless, it should be noted that voter turnout in these referendums is often low, in addition to the fact that almost a quarter of the population living and working in Switzerland are excluded from this process because they do not hold Swiss citizenship.

BDS campaigns, particularly military embargo campaigns, are partly dependent on the complexity of this parliamentary process. These campaigns can go on for several years, starting from when the army announces a proposed purchase; then the decision to counter it; the development of a joint campaign with other activists, the gathering of signatures, the parliamentary debate, and, finally, the question submitted to the Swiss citizens to vote on.

Consumer boycott: The first national campaign

In 2011, BDS Switzerland launched its first national campaign to promote the BDS call and its analysis of Israel as an apartheid state. The campaign called for a boycott of all products coming from Israel “until Israel respects international law and recognises the legitimate rights of the Palestinian people” (Boycott, Divestment, and Sanctions Movement n.d.). This wording marked a key difference from previous local campaigns by other pro-Palestinian groups, which were limited to boycotting only Israeli products from the oPt.

BDS Switzerland chose to target the two largest Swiss distributors, Migros and Coop, because of their national presence and their adherence to the United Nations Global Compact, a United Nations (UN) initiative to promote “a fairer and more sustainable global economy” (UN Global Compact n.d.). In its exchanges with Migros and Coop, BDS Switzerland referred to the Global Compact, which states in its membership principles that member companies must support the international protection of human rights and ensure that they are not complicit in their violation. However, Migros and Coop were playing both sides: on the one hand, they boasted of their commitment to the protection of human rights, while on the other hand, they were marketing Israeli food produced in settlements that are illegal under international law. A BDS logo representing a bleeding orange appeared on all campaign materials as a reminder of the worldwide campaign by anti-apartheid activists against South Africa’s Outspan oranges.

More than 14,000 signatures were collected in front of the various stores across the country, which gave the BDS activists the possibility of engaging in discussions with customers about the situation in Israel/Palestine and about the policy of Migros and Coop. In cities and neighbourhoods where people were already aware of these issues, client feedback was favourable. In May 2013, the signatures were conveyed to the Migros management who insisted that they were only following the guidelines of the Swiss government, whose official policy rejects any form of boycott. Migros implied that if the government were to change its position, it would follow suit. Two days after the interview, Migros announced that it would change the labelling of products from the oPt, which, up until 2013, had indicated “Israel” as their origin. In the future, the products in question would be labelled “West Bank, Israeli settlement area” or “East Jerusalem, Israeli settlement area”. In fact, with this amendment, Migros complied with the current regulation requesting transparency on the origin of

the products to be sold. Nevertheless, for some members of the Israeli-Swiss Association, this amendment revealed that Migros “clearly displayed itself as anti-Semitic” (Perrin 2013).

Since 2011, Migros and Coop have taken small steps forward but also a few steps back. In particular, they declared that products from the oPt would no longer be used under their own label. In the shops where customers showed a collective refusal to buy Israeli new potatoes, avocados, and fresh herbs, fewer Israeli goods were displayed on the shelves. Migros and Coop’s decisions are, of course, driven by economic considerations. And as major brands in Switzerland, they must appear to adhere to the official Swiss policy of neutrality. But as mentioned above, they are also concerned with their own brand image and therefore they must take into account changes in public opinion concerning organic food, climate and environmental concerns, sustainable development, and human rights. Today it is important for Migros and Coop to publicise their support of environmental concerns and human rights. BDS continues to challenge Migros and Coop’s ethical responsibility, not only regarding the sale of certain Israeli products, but more importantly on the disastrous working conditions of Palestinian agricultural workers in the illegal settlements, as well as the confiscation of land and resources, such as water.

This BDS campaign, which is still ongoing on an *ad hoc* basis, has achieved its primary objective. It has allowed BDS Switzerland to become known nationally. Important material explaining the BDS call was widely distributed across the country. When Migros announced that it was changing the labelling of products coming from the oPt, the BDS campaign was given coverage by the press. The question of Israel as an apartheid state had been raised clearly and its violations of international law substantiated. The campaign highlighted the structural injustices of Israeli apartheid as well as the fact that companies have the duty not to profit from an illegal situation. The recent publication of a UN database of companies involved in the construction and maintenance of Israeli settlements in violation of international law is to be welcomed (Human Rights Watch 2020). Even though this list is incomplete, it acknowledges a demand made by human rights defenders, and particularly by the BDS movement, for these complicit companies to be held accountable for their involvement in violations of international law.

Culturescapes Israel: A founding campaign for cultural boycott

Cultural boycott is one of the oldest BDS campaigns. Launched in 2004 by a group of Palestinian intellectuals and academics, the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) activities revolve around

two pillars. First, it calls on foreign artists to refrain from participating in events funded by the Israeli government. Second, it tries to convince cultural event organisers to avoid productions that help normalise the image of the Israeli regime or that receive financial or logistical support from the Israeli Ministry of Foreign Affairs.

In Switzerland, BDS's action for the cultural boycott started at the end of 2010, with the campaign against the *Culturescapes Israel* festival (2011). In the following years, among other campaigns, in 2015 BDS challenged the Locarno Film Festival; later, in 2019, it conducted a lengthy campaign targeting the Swiss Radio and Television Corporation (SRG) against Switzerland's participation in the Eurovision Song Contest 2019, which was to be held in Israel.

The campaign against the *Culturescapes Israel* festival, helped BDS reflect on the prescriptive role of political authorities, institutions, festivals, programming structures, and the cultural industry in safeguarding Israel's colonial enterprise. In its open letters, which are the main political tool in the cultural field, BDS Switzerland always addresses itself to the decision-makers, to those in charge of cultural enterprises, and to political authorities. But it also makes a point of conveying its arguments to all the cultural workers and the public. The question of culture power and politics needs to be addressed, not only in the cultural world but in society as a whole.

The *Culturescapes Israel* festival was organised by the Basel-based Culturescapes Foundation. It organises every one or two years a cultural festival centred on a geographical region. Its declared purpose is to promote exchanges between Switzerland and other countries. Before focusing on Israel, previous editions had been devoted to Turkey, Azerbaijan, and China. Its high-level partners often include senior leaders from the invited countries and always in the presence of the government of Basel and the Federal Department of Foreign Affairs or its Division for Cooperation and Development (DDC). From September to November 2011, the programme consisted of some 20 music, theatre, and dance productions; exhibitions; literary meetings; film screenings—all from Israel—as well as university lectures in 14 Swiss cities (Culturescapes 2011a). This rich programme was coupled with a tour of some 20 Swiss events and productions presented in around 30 cultural venues in Israel, which was to be brought together under the umbrella of the Swiss Season in October-December 2011 (Culturescapes 2011c). The financial set-up of the festival was complex. The Israeli government provided logistical support and part of the financing, and the Israeli ambassador to Switzerland pledged to collect donations. The Israeli-Swiss Association, an auxiliary of the embassy in Swiss civil society, was also among the supporters of the event. A total of one million Swiss francs was said to have been channelled from various sources via the embassy in Bern, a significant sum given its total budget of 2.5 million. Otherwise, a small number of productions presented under the festival's label were carried by

institutions such as the Théâtre Vidy-Lausanne. Politically, with *Culturescapes Israel*, BDS faced heavy artillery. Pro Helvetia, the Swiss Arts Council, was a stakeholder in the festival, in particular in the Swiss Season tour. The operation also had the strong support of Guy Morin (Green Party), State Councillor in charge of culture of the Canton of Basel-Stadt and, above all, of Micheline Calmy-Rey (SSP), Federal Councillor in charge of foreign affairs, who was President of the Confederation that year. According to journalist, Peter Bollag, the sponsorship of the festival by the country's leading political figure was even a "clear" and "encouraging" sign from a political leader known for her positions "often critical of Israel" (*Jüdische Allgemeine* 2011). In her preamble to the *Culturescapes Israel* programme, Calmy-Rey hastened to point out, as a matter of form, that the festival was a "private apolitical initiative"—to better demonstrate her ambition to go "even further" in the "regular" relations between Switzerland and Israel. *Culturescapes Israel* remains to date the largest cultural diplomacy operation between the two countries (Culturescapes 2011b). In February 2011, BDS Switzerland sent an open letter to the organisers and partners of the *Culturescapes* festival, as well as to all artists and cultural actors in Switzerland. The open letter denounced the festival as "a communication operation of the State of Israel, which actually aims to divert public attention from its policy of oppression against the Palestinian people." Entitled "*Culturescapes Israel*: A showcase for apartheid in Switzerland," the letter called for the festival's cancellation and asked Swiss cultural institutions not to participate in it. It also called on the artists involved in the Swiss Season to withdraw (BDS Suisse 2011a). This letter was widely distributed through social networks and by email. Although it received little press coverage, the letter made waves in cultural circles—enough to quickly elicit a worried message from the festival management to its partners, declaring it was ready to open the debate. The BDS's arguments were deemed serious enough to spark three contradictory debates under the heading "Culture Power Politics" in Basel, Bern, and Zurich. In Basel, the Swiss Forum for Human Rights in Israel/Palestine and PaSo organised a debate that attracted a lot of people. The director repeated the festival's aim of creating "dialogue," but a stage director admitted that the creation of "dialogue" within a cultural frame was not possible. A member of the Palestinian BDS campaign from Ramallah and a member of Boycott from Within (Israel) accused the director of being a willing tool of the Israelis, especially because of the financial support. Two letters were sent to the Swiss artists enrolled in the Swiss Season in Israel. The first one was addressed to Guilherme Botelho, director and choreographer of Alias, one of the leading independent contemporary dance companies in Switzerland. Financially supported by Pro Helvetia, Alias has toured extensively abroad, including to Ramallah in 2008. The activists in Switzerland and in several countries around the world who followed the campaign and wrote messages to the company pinning their hopes on Alias, waiting up until the last moment for their reply. To no avail. The answer came from the spokesperson of Pro Helvetia, who declared to the press that the BDS

call “did not have the desired effect” (*Le Courrier* 2011). In Geneva, the small dance community was divided between those who criticised the harassment of the artists and those who deplored the company’s apathy. A month after its launch, *Culturescapes Israel* was no longer a cultural event, even in the eyes of its most fervent supporters, who were gathering their troops to make a show of force against the BDS movement. In the August newsletter of the Israeli-Swiss Association, an editorial by the President Vreni Müller-Hemmi was a real call to action: “attend performances with friends! You will thus prove your friendship with Israel and personally oppose the pro-boycott lobby!” (Israeli-Swiss Association 2011). In September, BDS sent an open letter to all the participants of the Swiss Season in Israel: “You may not be aware that you are involved in a vast propaganda operation aiming to promote the image of Brand Israel (White 2010). We want you to know that you can walk away from this. Rather than serving as an artistic endorsement for a state whose practices against humanity shock consciences, we propose to heed the Palestinian people’s call to support their struggle for life and justice through the peaceful means of the BDS platform” (BDS Suisse 2011b). BDS was able to convince two young Swiss artists, Maria Iorio and Raphael Cuomo, not to perform in Israel. The Israeli newspaper *Haaretz* reported that the two artists had simply attached the BDS letter to a message notifying their withdrawal (*Haaretz* 2011). The Ateliers d’ethnomusicologie in Geneva refused to host the festival, while the leaders of the Lichtspiel Kinemathek in Bern explained their withdrawal to the journalist Yael Gaton of *Haaretz* with the argument that the festival’s program gave an “unequivocal image” of Israel. Finally, in November 2011, at the end of the campaign, BDS released the statement: “We refuse to be complicit” (BDS Suisse 2011c). This declaration came from artists in Switzerland in response to the Palestinian call for solidarity. Published in the Geneva newspaper *Le Courrier*, this first manifesto of commitment in support of PACBI by a substantial group of artists active in Switzerland was the result of a long and patient advocacy campaign carried out by BDS activists throughout the years. When it was published, it brought together 136 artists from the French and German-speaking regions of Switzerland. All in all, 136 Swiss artists took the risk to publicly support the Palestinian call. Later, other cultural actors joined this founding document. The text includes the signatures of important personalities in cinema, contemporary dance, theatre, performing arts, literature, and visual arts (BDS Suisse 2011c). The campaign that pitted BDS activists against *Culturescapes* was the first cultural boycott campaign in Switzerland to implement this new strategy of targeting public cultural figures and decision-makers as a priority. This strategy is especially meaningful in Switzerland, where collaborations with the cultural institutions of the Israeli regime take place on a regular basis, particularly in festivals and public theatres, or theatres largely subsidised with public money.

Despite facing strong opposition and having to coordinate activities in different cities, BDS activists managed to lead a successful coordinated campaign throughout Switzerland. They were able to count on the temporary support of most of the pre-existing solidarity associations—even those who, in the beginning, may have had reserves about the cultural boycott. The movement succeeded in becoming a serious interlocutor for *Culturescapes*, Pro Helvetia, and the Department of Foreign Affairs. The movement even managed to achieve concrete results with its calls for a boycott.

The backbone of BDS interventions is an insistent call for the ethical responsibility of key cultural policy leaders. BDS questioned the City of Geneva, the self-proclaimed human rights capital, about the tour of its municipal ballet to Tel Aviv: “We ask the City of Geneva to apply the same ethical criteria to its cultural policy as it does to its public contracts” (Collectif BDS Genève 2016). It took two years for the Administrative Council to reply. Even though it framed its response with the usual formulas on “artistic freedom” and the benefits of “cultural exchanges,” the Administrative Council took a small step in the right direction when it finally answered. “It seems sensible to expect cultural actors to take into account the context of the destinations where they may have to travel and to be in line with the promotion of fundamental values and respect for human rights” (Geneva Municipal Council 2018).

Despite the fact that Palestinians are facing increasing colonisation and an apartheid regime, Swiss cultural programmers, nevertheless, still put forward the arguments of “artistic freedom” and “free circulation of works” to justify their relationships with Israeli donors. But this kind of catchphrase is becoming increasingly awkward and requires convoluted explanations. In 2017, for example, the Israeli dance company Batsheva toured in Geneva. BDS Switzerland’s denunciation of Batsheva’s role as a “cultural ambassador” of Israel received as much attention in the local press as the praise for Batsheva’s performance itself. (Le Courrier 2017; Tribune de Genève 2017). By constantly articulating, in the public space and in the cultural milieu, its arguments for human rights in the context of international law as well as ethical responsibility, BDS patiently works to extend to the cultural sector the demand of ethics that is required in other fields.

Military embargo

Built on the foundations of colonialism and apartheid, the military and security industry is one of the pillars of the Israeli state. Military cooperation with Israel is one of the main forms of international complicity with violations of international law, and this is also particularly true for Switzerland. In 2019, Israel became the eighth largest arms exporter in the world and it is also the leading

exporter of drones. The jewels of the arms companies—Elbit Systems and Israel Aerospace Industries (IAI) (Elbit 2020; Israel Aerospace Industries 2020)—have accumulated enormous profits by being able to use Gaza and the West Bank as their “laboratory”. In both places, the Israel Defense Forces (IDF) can test new weapons and military strategies on millions of Palestinians, who are used both as targets and as guinea pigs. The fact that their weapons have thus been “field tested” adds to their value for arms purchasers.

The Israeli arms and security industry also offer models and strategies for conflicts between state and non-state combatants (e.g., separatists, resistance fighters, opponents). Its products and methods of warfare are used by the United States (US) in wars against Iraq and Afghanistan, in Colombia against the FARC, in Kashmir, and in many more places. In the past few years, given the rising concerns involving terrorist attacks and security issues, Israel has also developed a new niche with products for homeland security. Many countries are interested in Israeli security equipment because it can be used in multiple ways, such as registering people, crowd controls, monitoring demonstrations, or tracking asylum seekers. This is why BDS is calling for an international military and security embargo.

The Swiss army and the Swiss authorities are also very interested in the Israeli arms and security industry, as the close relations between the armies of the two countries demonstrate (BDS Suisse 2014). A high-ranking Swiss army officer even spoke of a long love affair between the armies of the two countries. They share the myth of a small country that loves peace but has to defend or protect itself. Both countries have compulsory military service and a militia army. The two armies regularly exchange their technological knowledge. In 2014 the Swiss Radio Television (RTS) calculated that exchanges between the two armies took place every five days on average (Artels and Ducret 2014).

In 2013, BDS Switzerland launched a national military embargo campaign against the State of Israel. In 2014 the Federal Department of Defence, Civil Protection and Sport (DDPS) was to take the final decision on the purchase of six drones or Unmanned Aerial Vehicles (UAV) for the sum of 300-400 million Swiss francs. There was a good chance that an Israeli-made model would be chosen. In principle, the six UAVs would have the missions: aerial reconnaissance, surveillance of a given territory, and assistance to border guard patrols. But according to media reports, the intelligence services wanted to use them for crowd surveillance as well. It was important to react against this purchase, which, once again, underlined the complicity of the Swiss authorities with Israel's repressive policies towards the Palestinians.

The BDS campaign, together with about 20 other organisations, launched a petition addressed to the Federal Council and the Swiss Parliament entitled: “No to the purchase of Israeli drones.” The petition demanded that taxpayer money should not be used to finance the Israeli arms industry, noting that the

Hermes drones had been “field tested” (i.e., against the civilian population of Gaza), and had also been involved in multiple violations of international law and war crimes. It pointed out that Switzerland is in flagrant contradiction with its obligations as a signatory (and depository) of the Fourth Geneva Convention by buying arms from a country that violates international law and human rights. More than 28,000 people signed the petition, which was presented to Parliament in Bern in 2015.

In 2014, the DDPS had chosen the Hermes 900 UAV produced by the Israeli company Elbit Systems. However, in July of that same year, Israel carried out the murderous “Protective Edge” attack in Gaza. For 50 days, the Israeli army shelled the population of 1.8 million people trapped in this 262 square kilometre strip: 2,251 people, including 50 children, were killed and 11,000 wounded; 20,000 buildings, hospitals, schools, mosques, and churches were destroyed. Elbit’s Hermes drones played a key role in this massacre. In Switzerland, as elsewhere, many people were shocked by the brutality of this attack against a civilian population taken hostage. In this context, the purchase of Elbit drones by the Swiss army was particularly scandalous.

In 2014-2015, there were national demonstrations against the attack in Gaza. In Geneva, there were daily rallies throughout the duration of the ‘Protective Edge’ operation to protest against the attack, against violations of international humanitarian law, and against the Swiss authorities’ silence. The BDS campaign and its allies organised meetings on the theme of UAVs with an activist from Drone Wars, an nongovernmental organisation (NGO) based in the United Kingdom (Drone Wars UK n.d.). It also organised several screenings of the documentary film *The Lab* directed by Israeli journalist and filmmaker Yotam Feldmann. In 2014, the Swiss television programme *Temps Présent* devoted a documentary episode to the question: “Will there soon be a killer in the Swiss sky?” (RTS, 2014). It was the first time that the national television of francophone Switzerland spoke about a national BDS campaign (Artels and Ducret 2014).

In the run-up to the parliamentary debate, BDS addressed the members of the National Council and the Council of States, providing essential documentation. One-third of parliamentarians, mainly members of the SSP and the Greens, voted against the purchase of the drones. Although their opposition was primarily based on the high cost of the UAVs, BDS’s arguments on the question of Switzerland’s obligations to protect international humanitarian law could not be circumvented and also played a role in the debate. The government’s arguments sounded hollow in the face of the disastrous war on Gaza.

Throughout this period, it became clear that the BDS campaign needed to engage in more consistent lobbying of parliamentarians. There is a Swiss-Israeli interparliamentary group in Bern that supports the policy of the Israeli government. In Geneva, UN Watch is an NGO close to the Government of

Israel, which believes that the UN attacks Israel disproportionately (UN Watch, n.d.). This group has been often widely criticised for its virulent interventions at Human Rights Council meetings (Military Monitor n.d.; NGO Monitor n.d.; Policy Working Group 2018). The work of NGO Monitor is relayed by Audiatur (Audiatur n.d.), a pro-Israeli media lobby which has published a handbook on how to influence the media and parliaments and is often cited as a source in the German-speaking Swiss media today (Widmer 2015).

Two major Swiss German newspapers, *Neue Zürcher Zeitung* and *Basler Zeitung*, regularly publish articles and commentaries adopting the Israeli narrative and depreciating engagement in favour of human rights. In 2019, Elbit opened an office in Bern. In the same year, the Swiss army chose Elbit to supply it with new radio equipment and several other telecommunications equipment. The military embargo campaign is far from over. The Swiss army's recent plans to acquire six defence aircrafts for the cost of six billion francs gave rise to a large coalition, including BDS, that successfully launched an initiative against this purchase. The purchase was approved by a small margin in a referendum in September 2020.

Israel brands BDS a “strategic threat”

After years in which Israeli officials and commentators have loftily dismissed the impact of BDS (Beaumont 2015a), it has finally singled out the movement for criticism (Beaumont 2015b). From 2005 onwards, the Israeli authorities realised that their propaganda on the Israeli-Palestinian conflict was less and less positively perceived. It became increasingly difficult to justify the policies of occupation, colonisation, and apartheid. They needed a new angle of attack. In 2006, the “Brand Israel” project was launched to enhance the corporate image of Israel in trade, tourism, and the cultural world. In keeping with this aim, “Brand Israel” highlighted Israeli achievements in the scientific and cultural fields. When the BDS movement launched in 2005, the Israeli authorities first treated it with contempt, but this began to change as BDS showed its ability to mobilise. Ten years later, in 2015, Netanyahu declared BDS a strategic threat to Israel's legitimacy and international status. He mandated the Ministry of Strategic Affairs with a large budget to coordinate the fight against BDS. Diplomacy, Mossad, journalists, and NGOs were enlisted to join the ranks. A new narrative took shape. It depicted Israel, a Jewish and democratic country, as under threat to its very existence, not only by the “Islamist threat” but also by the defenders of Palestinian rights and, in particular, the BDS movement. According to this narrative, BDS strives to destroy Israel; beneath criticism of Zionism lies a hatred of the Jews. And, since Israel is the state of all Jews, Palestinian rights activists and the BDS movement are necessarily anti-Semitic and must therefore be discredited and criminalised.

The Israeli authorities developed and implemented an aggressive campaign at the international level. It is of course in the US that these directives were taken up with the most enthusiasm. *The Lobby*, a documentary produced by Al Jazeera, revealed how Israel interferes in US universities to silence critical voices calling for an academic boycott (Electronic Intifada 2018). Israel also interfered in British politics by accusing the Labour Party of being a nest of anti-Semites (Al Jazeera 2017). The charge that any criticism of Zionism actually represents a new form of antisemitism is relayed not only by the media in the right-wing parties traditionally linked to Israel, but also by the Social Democrats. In France, members of François Hollande's socialist government campaigned on this theme. The anti-Zionism of the "islamo-leftists" is seen to be the new form of antisemitism. And since antisemitism is a crime, it must be combatted through legal means. This flies in the face of the facts. The BDS movement has always shown its opposition to any form of racism, be it antisemitism or Islamophobia. Moreover, the European Union has ruled that criticism of Zionism, which is a political ideology, is a matter of political opinion, and therefore a matter of freedom of expression, whereas antisemitism that expresses hatred towards persons of the Jewish faith or identity is a racist crime, and therefore punishable (European Parliament 2016).

In recent years, many motions and bills have been introduced in different European parliaments with the purpose of criminalising the BDS movement. Switzerland has not escaped this trend. In 2017, a member of the SVP, a xenophobic right-wing party, introduced a parliamentary motion replicating arguments similar to those used by the Israeli government against its critics. In light of the party's positions on immigration, the defence of "national values" and the fight against terrorism, and its pro-Israel stance, it was not surprising to see the SVP motion presented in parliament.

In response, BDS Switzerland addressed letters to the elected members of the National Council to show the dangers of such a motion. Given the mass of documents they regularly receive, parliamentarians do not always have time to examine them all—and, in this particular case, the SVP motion went more or less undetected. Consequently, BDS sent various letters explaining that, while the motion itself sought to criminalise NGOs and organisations such as BDS—whose only "crime" was to defend the legitimate rights of Palestinians to freedom, equality, and justice (all recognised by the United Nations)—it had other more fundamental aims. It attacked freedom of expression and sought to delegitimise principles of international law, such as those expressed in the Fourth Geneva Convention (aimed at guaranteeing the security of civilian populations in times of armed conflict) or to exonerate third states from their responsibilities in the name of so-called "neutrality." It came down to asserting the right of the strongest.

The lower chamber of parliament deliberated on this motion, which put to the Confederation that “Swiss public funds directly or indirectly devoted to development cooperation no longer be allocated if the NGOs they support are involved in actions of a racist, anti-Semitic or inciting to hatred nature, or in BDS campaigns” (Swiss Parliament 2017).

Despite the Federal Council’s recommendation to reject the motion, it was accepted by the National Council thanks to the votes of the SVP and the Liberal Party (PLR) from the right, as well as half of the Christian Democratic People’s Party (PDC)’ votes since the party was divided on the issue. The SSP and the Greens voted against the motion. However, following interventions by the Federal Department of Foreign Affairs and the Foreign Policy Committee of the upper parliamentary chamber, the text of the motion was amended and the reference to BDS was removed from the application. In the end, it was this amended version that was ratified by the government.

Since 2018 and with the arrival of the new Foreign Minister, Ignazio Cassis, a member of the PLR and the Israeli-Swiss Association, there is a fear that Swiss policy in the Middle East will be restructured in the detriment of human rights, and that the Department of Foreign Affairs policies will move further to the right. Cassis did not hesitate to suggest that the UN Relief and Works Agency (UNRWA), by supporting the dream of a return of the Palestinian refugees, could be part of the problem and not part of the solution. Since UNRWA was mandated by the United Nations to provide protection and assistance to Palestine refugees pending a just and lasting solution to their plight, this agency is largely responsible for keeping social infrastructure for Palestinian refugees alive.

The Israeli authorities also try to exploit antisemitism as a new propaganda weapon. Currently, in several countries there is a rise in hate speech towards refugees (especially African refugees), Muslims, Jews, women, and Roma people, among others. The rise of populism and extreme right-wing nationalist movements is no stranger to this phenomenon. Most European countries have not yet really confronted their own colonial past with its inherent racism and their complicity with antisemitism. In compensation, they display their support for the fight against antisemitism. Globally, the situation becomes even murkier. Netanyahu seeks alliances with the governments of Hungary and Poland despite their open anti- Semitism and the disapproval of the Jewish communities in these countries. The US government is an ardent defender of the Netanyahu government, moving its embassy to Jerusalem and promoting a peace plan that strongly favours Israel. Yet Trump has claimed that white supremacists in his own country are “respectable” people, despite their blatant anti- Semitism and involvement in racist attacks.

It is in this geopolitical context that Israel and its allies decided to promote a “new definition of antisemitism” based on that of the International Holocaust

Remembrance Alliance (IHRA). However, this definition, which is being deliberated in a number of European countries, is not an effective tool against antisemitism because of its arbitrary nature. Many European legal experts have pointed out the definition's juridical flaws, including its vagueness and lack of clarity concerning intention. The examples that are given to illustrate the definition are extremely questionable as they suggest that criticism of Israel could be equated with antisemitism (Sand 2019). Given these examples, there is a high risk that this "new" definition will be used to silence defenders of Palestinian rights. It is also an attack on freedom of expression.

A number of Jewish organisations around the world, such as the Jewish Voice for Peace in the US, the Union juive française pour la Paix (UJFP) in France, and the Judische Stimme für gerechten Frieden in Nahost in Germany, as well as personalities in Israel, have condemned this definition, which conflates anti-Zionism with antisemitism. They refuse to allow Israel to claim the right to speak on behalf of all people of the Jewish faith, and they refuse to be associated with a colonial regime that pursues a policy of apartheid.

This new definition has been submitted to parliaments in many countries. So far, it has been adopted by Austria, France, Germany, Macedonia, and the United Kingdom. Although from a legal point of view the definition is neither binding nor legally consistent, it has already often been used to repress or censor Palestinian solidarity events, students, and academics. The Israeli government employs it as a propaganda tool to counter any criticism or action to hold it accountable to international law. Thus, when the European Union's Court of Justice decided in 2019 that settlement products from the oPt must be labelled as such and not as Israeli products (Court of Justice of the European Union 2019), or when the United Nation's Council on Human Rights published in 2020 a database concerning Israeli and transnational companies operating in illegal settlements in the oPt (Office of the High Commissioner for Human Rights 2019), the Israeli government proclaimed that these decisions were anti-Semitic and that the Council for Human Rights had caved in to BDS demands (Ahern 2020).

In May 2019, the Steering Committee of the SSP published a resolution entitled "The Swiss Socialist party fights anti-Semitism." In this resolution, the SSP states that antisemitism is on the rise in Switzerland, that Israel's "right to exist" must not be questioned, and that the IHRA definition of antisemitism is authoritative. The SSP therefore asked the Federal Council to adopt this definition (Swiss Socialist Party 2019). A few weeks later, a Socialist Councillor for the States submitted a postulate asking the Federal Council to study and adopt the IHRA definition.

Why did the SSP propose this new definition? Antisemitism is certainly present in Switzerland and must be actively combated. However, it is incorrect to claim that there is a clear increase in anti-Semitic incidents in Switzerland.

Incidents against black racialised people and Muslims are much more widespread. So why focus on antisemitism alone? In an effort to justify itself, the SSP's central secretarial office professed to have received accusations that the party was anti-Semitic. But in trying to protect itself from these accusations, the steering committee did a clumsy job, consulting neither lawyers concerning the definition itself, nor party members.

The SSP claims to want to protect human rights defenders, but the examples after the IHRA definition suggest that those who defend the Palestinian human rights are in fact anti-Semitic. The SSP affirms Israel's "right to exist" although BDS has never advocated the destruction of any human community. But by defining itself as a "Jewish state," Israel purposely excludes its non-Jewish citizens who make up more than 20 percent of the population. It is an insidious political stance to equate Jewish people, wherever they live, with the racist policies of the State of Israel. Israel claims to be a "democratic" state, but its policies have led to rampant colonisation, ethnic cleansing, annexation, several wars, and a regime of apartheid. Does the SSP support the right of such a political system to exist? By trying to find a compromise between its pro-Zionist wing and those in the party who support Palestinian rights, the SSP does not take a clear stand in its statements and actions against apartheid and for the right and necessity to oppose it. It plays into the hands of Israeli propaganda and supporters of a racist and identity-based system, to the detriment of fundamental rights for all.

There is still much to be done to explain the pitfalls of this IHRA definition, starting with the fact that SSP members only learned of a Socialist parliamentarian's postulate in favour of the IHRA definition after it had been submitted. Before the debate takes place in parliament, BDS must provide parliamentarians with precise documentation explaining the origin of this definition, the use made of it by Israel and its allies, and, above all, the serious dangers it poses to human rights defenders and to freedom of expression more generally.

Given the current political climate in Switzerland, it would be dangerous to take initiatives such as this resolution of the SSP Executive Committee lightly. For the different NGOs, organisations, associations, or more generally the people who are committed to human rights, it is important that this definition prompts a wide critical response. Although many groups are under pressure from their donors, it is vital that they defend the legitimate and recognised rights of Palestinians, as well BDS's right to freedom of expression. In 2016, the Israeli government passed the NGO Transparency Law requiring all NGOs who receive more than half of their funding from foreign governments or organisations to give specific information concerning the sources of their funding and their contacts. This law specifically targets NGOs defending Palestinian human rights and international law (UN News 2016). Up until now, Switzerland has

maintained its funding to NGOs, including B'tselem, Breaking the Silence, and Adalah, but this support has been under constant pressure for the past decade.

The BDS campaign has also felt the impact of this political climate; there have been hasty cancellations of conference room rentals on the pretext that BDS was “anti-Semitic.” The University of Bern tried to prevent a lecture by Ronnie Kasrils, a veteran African National Congress activist, member of the South African government, and supporter of the BDS appeal. In the past two years, newspapers, mainly in the German-speaking part of Switzerland, have published several articles referring to BDS as “presumably anti-Semitic”—requests for a right of reply are normally refused. BDS can only explain its position in the form of letters to the editor. Since most attacks are neither directed against specific individuals nor against BDS Switzerland per se, it is impossible to take legal action.

Finally, the best way to defend the BDS campaign is to focus the debate on the concrete aspects of Israeli policy and to defend the Palestinians on the basis of international law. This position has been confirmed by an important judgment rendered by the European Court of Human Rights (ECHR). On 11 June 2020, the ECHR unanimously condemned France for violating Article 10 of the European Convention on Human Rights in the case of the boycott of Israeli products. The ECHR ruling provided that “the Court considered that the applicants’ conviction had lacked any relevant or sufficient grounds,” and that the call to boycott is a citizen’s right, a legitimate tool of protest, as long as it is motivated by criticism of a state and its policies. Therefore, it is not in itself discriminatory and should be considered in the light of all the circumstances. Moreover, the court stressed that the respect of international law by Israel and the human rights violations in the oPt are subjects of general interest, part of a contemporary debate open in France and throughout the international community (European Legal Support Center 2020).

Strategic perspectives

Over the past 15 years, BDS Switzerland has been recognised as a leading pro-Palestinian movement, thanks to its comprehensive approach, its political analysis of the structural aspects of the Israeli apartheid policy, and the coherence of its various campaigns. The articles published by the movement in Palestine Info (BDS Suisse n.d.) and elsewhere are not only formative but also appreciated for the seriousness of their analysis. Over the years, organising meetings with experts on the apartheid issue such as Richard Falk and Virginia Tilley, and South African activists such as Na’eem Jeenah and Ronnie Kasrils, have contributed to many peoples’ political education.

Like many other groups, BDS Switzerland has to face the issue of attracting younger activists. The activists who were originally involved belonged to a generation engaged in anti-colonial and anti-imperialist struggles in Chile, Nicaragua, Palestine, South Africa, and Vietnam. They had first-hand knowledge of international solidarity movements, which they could later apply to the Palestinian struggle. Many belonged to political groups as well, and some were involved in trade union work. These multiple experiences gave them a broad political education with regards to Swiss politics, political parties, and trade unions, as well as common references and contacts. This shared background fostered a collective and horizontal approach to BDS work.

The younger generations do not share the same history or political training—but their own militant experiences, which often focus on a sector specific problem, equip them to confront the limits and flaws of the system and its neo-colonial and imperialist politics. Some have been in the oPt for a certain time and observed the conditions on the ground; many others have been involved in movements supporting asylum seekers, organising demonstrations and occupations of public spaces to bring attention to their dramatic daily life in underground bunkers. They have been confronted with the day-to-day racism facing the refugees and asylum seekers. The Swiss government's restrictive policy regarding refugees illustrates the whole question of European foreign policy with the Schengen Agreement and its underlying racism. The younger activists are also very sensitive to various facets of the social situation, from the growing number of precarious jobs to the shortage of affordable housing, that underline the rampant inequality in our society. The same is true for the radical feminist groups and climate crisis movements, where demands unmask the flaws of the capitalist system.

These different struggles are often driven by demands and values of anti-racism, equality, justice, and anti-militarism. These values are also shared by BDS and it is important to note and use this concurrence to create cooperation, bridges, exchanges, and broader mutual support.

What is happening in the world necessarily impacts BDS work in Switzerland. For the past two years the Palestinian BDS National Committee (BNC) has supported the Black Lives Matter (BLM) movement. Together, they organised trips for BLM activists to Palestine. Last year, the BNC supported Wet'suwet'en people in Canada in their fight against the expropriation of their ancestral lands. Both Palestinians and First Nations have painfully experienced ethnic cleansing. At the beginning of 2020, BDS planned to organise a meeting in the spring with the support of many organisations, including the African People's University in Switzerland (UPAF). The aim was to invite a Palestinian expert to speak about racism, colonialism, and apartheid in Israel, as well as a Swiss expert presented to address racism in Switzerland. In recent years, there have been many discussions in Switzerland on the concept of colonialism without colonies as part of postcolonial studies (Purtschert et al. 2015).

The meeting on colonialism was postponed because of the pandemic, but the problem of racism surged back into the public eye two months later with the murder of George Floyd. The BLM movement has raised awareness about endemic racism in our societies, linked to economic, social, and health inequalities. The acknowledgment of the fact that ten black refugees were murdered in Switzerland in the last decade shows that Switzerland is not free from structural racism. Black refugee men and Muslims are among the most affected (Réseau de centres de conseil pour les victimes du racisme 2020). In these anti-racist activities, BDS Switzerland can also highlight the internationalist dimension by emphasising the link between racism, colonialism, and apartheid in Israel/Palestine.

An intersectional approach could be developed around the problem of increased surveillance in Swiss society, be it through drone surveillance of borders and demonstrations, data monitoring, facial recognition, or cyber espionage. It is essential for BDS to underline the role of Israeli companies that boast of the “know-how” they have gained from their experience in Palestine. The Swiss army chose Elbit Systems instead of a Swiss company for its telecommunications network (Deleury 2019). Switzerland also entered into a contract with the Verint Systems Inc., a US-based company with half its employees in Israel, for the telephone tapping system used by cantonal and federal police and courts. This is despite the fact that there are serious suspicions about the use of “black boxes” in the software provided by Verint, whose founder is being prosecuted by the FBI. Elsewhere, the Israeli NSO Group, with whom Verint considered a merger in 2018, has been singled out for criticism by the Citizen Lab of Toronto University and Amnesty International because of its involvement in spying on human rights defenders (Citizen Lab n.d.; Amnesty International 2019a). These examples show how Israeli surveillance companies have become indispensable, even though some of them are under investigation.

The BDS movement puts forth Palestinian civil society’s demands for freedom, equality, and justice. Just as it defends the human rights of the Palestinians, it is equally concerned with democratic rights elsewhere. Human rights must be universal. So, it is possible to build interconnections with progressive lawyers, jurists, and human rights defenders when there is a question of limiting democratic rights in our own countries. Exceptional events, such as a terrorist incident or a pandemic, lead governments to introduce emergency laws that limit democratic rights. While these legislations are meant to be temporary, sometimes these laws persist and become permanent, as is the case in France with the Emergency Law (Human Rights 2019). In Switzerland, it is becoming increasingly difficult to obtain authorisations for demonstrations, although it is a democratic right guaranteed by the constitution. In June 2020, the parliament began the process of drafting a new law promoting anti-terrorist measures. This project has been criticised by the Human Rights Council

and by many NGOs as a frontal attack on the rule of law and democratic rights (Amnesty International 2019b).

In a conservative country like Switzerland, activist work has never been easy, be it on a national or an international level. The recent announcement of the Israeli plan to annex part of the West Bank has not elicited a clear condemnation from democratic governments, although this plan sweeps away any remaining illusions about the viability of the two-state solution. The depreciation of international law in parallel with the increasingly reduced support for UN agencies also works in Israel's favour. Another matter that restricts solidarity work in Switzerland is the weakness of the left alongside a declining interest in international politics in the traditional political parties, as well as in the majority of trade unions. And, as has already been pointed out, the influence of pro-Zionist lobbies is growing, although this influence varies within and across the different linguistic regions

Faced with this situation, BDS Switzerland strategically seeks allies and plan how to interact most fruitfully with different components of civil society. The BDS campaign already works with activists in various spheres including NGOs, professional groups, artists, academics, and lawyers. However, it needs to develop more sustained contacts with all these professional circles, with academia, and with parliamentarians from different parties and to increase its impact in the media.

BDS must also take into account the rampant inequality made visible by Covid 19 and the frailty of the global economic system. The rise of the BLM movement will certainly change the landscape in the fight against racism. In the last year, thousands of mostly young people have demonstrated against racism, for environmental issues, and for gender equality. BDS Switzerland wants to nourish and be nourished by this new awakening; to do this, it aims to encourage the building of links and bridges between these ongoing battles in Switzerland and the Palestinian struggle for freedom, equality, and justice.

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Chapter Twenty-Two

The BDS Movement in the United Kingdom: Back to Where it All Started

Ilan Pappé

This chapter analyses the action of the BDS campaign in the UK. It follows its main achievements in the last fifteen years. While Israel and Zionist lobbies have successfully courted governments and mainstream media, the BDS succeeded in galvanizing wide support within the British civil society. This was a successful strategy for several reasons. First, it allowed the solidarity movement to go on campaigning for Palestine, despite the internal dissent within the Palestinian national movement and the lack of clear strategic vision its leadership. Secondly, it targeted multinational and British companies that had visible businesses in the Occupied territories, on confiscated land and in some case like G4S supplied trade for the checkpoints and other oppressive means used by Israel in the occupation. The backlash as expected by Israel and its allies has been to weaponize Antisemitism, which brought down politically Jeremy Corbyn and this chapter is written while the anti-BDS campaign continues but it does not seem to impact the strong solidarity within the British civil society, aware of the special role and accountability of Britain for the plights of the Palestinians.



The Great March of Return

2019 | Light jet print mounted on matt diasec. 200 cm diameter. In the museum collection of The Arab World Institute in Paris, and the Contemporary Art Platform, Kuwait.

Steve Sabella, <https://stevesabella.space/pages/the-great-march-of-return>

Britain was one of the first countries in the world in which the Boycott, Divestment, and Sanctions (BDS) movement became active. Its civil society responded enthusiastically to the BDS call, made by 170 Palestinian non-governmental organisations (NGOs) on 9 July 2005. The signatories to this call represented the three major components of the Palestinian people: the refugees in exile, the Palestinians under occupation in the West Bank and Gaza Strip, and the discriminated Palestinian citizens of the Israeli state.

Two years later, the first Palestinian BDS Conference was held in Ramallah in November 2007. Out of this conference emerged the BDS National Committee (BNC) as the Palestinian coordinating body for the BDS campaign worldwide. The BNC has members from different Palestinian organisations and unions and is still active today.

Britain immediately became one of the BDS movement's major areas of activity. Looking back from 2021 on its performance, it seems to have been all in all a successful campaign of solidarity and support for the Palestinian struggle on the ground. It was unable to reach the corridors of power or to influence mainstream politics and media, but it built a solid infrastructure of solidarity within local civil society, based on the work of previous networks of activism. As such, BDS-United Kingdom (UK) offers a basis for further and even more effective action in the future. This chapter analyses the movement's main achievements and challenges with a view to trying to understand its future role in the UK.

The uniqueness of the British case study

The BDS movement became the most important global advocacy movement for the rights of the Palestinians inside and outside Palestine. While Zionist lobbying has always, from the very inception of the movement until today, targeted the corridors of power—governments, mainstream media, and academia—the solidarity movement with the Palestinian people was unable to pressure the various governments to hold Israel accountable for its abuse of the Palestinians' civil and human rights over the years. In the UK, as elsewhere in the west, governments were either indifferent or ineffective in their attitudes regarding Israel's policies towards the Palestinian from 1948 until today. The realisation that western governments are either timid, or intimidated by Israel, intensified solidarity activity inside the civil societies even before the BDS call had been made. After it was announced, actions from below intensified as citizens understood the need to step into action in areas where their governments fail to represent them democratically and properly.

In Britain in particular, ordinary citizens expected their various governments to accept Britain's historical responsibility for the Palestinian plight. After all, it was Imperial Britain that allowed the Zionist movement to put a foothold in Palestine, colonise the country, and eventually take it over by ethnically cleansing the indigenous people of Palestine, under the protection of a mighty patron. Without such assistance, the Zionist project of settler colonialism, which in essence was a project of displacement and replacement of the Palestinians, could not have materialised or been maintained. Britain also allowed, throughout its thirty years of rule (1918-1948), the Zionist movement to build a state within a state and militarily prepare for the 1948 ethnic cleansing of Palestine. And when the Zionist forces, which later became the Israeli Defense Forces (IDF), began their ethnic cleansing operations in April 1948, targeting mainly the urban centres of Palestine, British officers stood by and in some cases (for instance in Jaffa and Haifa) helped to facilitate the massive expulsion of more than one hundred thousand Palestinians (Pappe 2006)

Successive British governments refused to acknowledge Britain's responsibility for the Palestinian catastrophe. This lack of historical accountability manifested most clearly when Britain, in collaboration with the Israeli government, celebrated the centenary of the Balfour Declaration on 2 November 2017. It was in this case—as in so many others, as we shall see—that the BDS movement, together with other solidarity networks within British civil society, were doing their best to raise awareness against this official denial of the empire's role in sowing the seeds of disaster in Palestine.¹ It is this history that explains the particular intensity of the BDS activity in the UK. There, the BDS became a proper social movement, one that can be academically analysed with the best social movement theories (SMT) for the sake of understanding its successes and failures, and evaluating its possible progress in the future.

As in other places, and in Britain too, the wide response to the BDS call helped resolve some of the past issues troubling the global Palestinian solidarity movement. The disunity in the Palestinian national movement, and the absence of any clear ideological orientation or proper strategy of liberation for the future, confused the solidarity community. A typical manifestation of such ambivalence was the difficulty in positioning the solidarity movement between Hamas and Fatah, as was the inability to adopt a clear stance on new discussions between the supporters of either a one-state or two-state solution. Unlike the solidarity movement with the African National Congress (ANC) in South Africa, there is no clear Palestinian leadership that can guide the solidarity movement for Palestine. The BDS movement galvanised supporters around an effective show of solidarity without being embroiled in internal Palestinian disputes, and with a clear agenda of what to do on a daily basis against the continued oppression of the Palestinians. The democratic nature of

¹ See a report on these activities in the Balfour Project Website: <https://balfourproject.org/>

the movement and its flexibility in allowing local activists to decide how best to implement the BDS campaign contributed immensely to its popularity and effectiveness in the UK (Mullen and Dawson 2015; Hanssen and Ghazal 2020). In this chapter, I will first enumerate some of the more prominent successes of the BDS campaign in the UK, describe the backlash from Israel and the Zionist lobby, and conclude with some remarks about the future of the movement and the struggle for freedom and justice in Palestine in general.

Tangible achievements

The greatest success of the BDS movement in the UK has been the recruitment of local civil society. Among the sections of British civil society heeding the call from Palestine were trade unions representing thousands of workers, student unions, faith groups, and local councils. Respecting the BDS call meant agreeing to boycott, and divest from, Israel as long as three basic Palestinian rights are not respected by Israel: the right of the Palestinian refugees to return, the right of Palestinians inside Israel to live as equal citizens, and the right of Palestinians in the West Bank and the Gaza Strip to live free from military occupation.

All these rights are enshrined in international law; thus, targeting companies that work with Israel or universities that have a bilateral institutional relationship with Israeli academia is a legitimate protest against the complicity of these and other outfits within the UK in Israel's repeated violations of international law in its policies against Palestinians. What was particularly impressive about the UK effort was its tangible achievements, not only in influencing the moral public discussion on Palestine, but also in its ability to affect the policies of businesses trading with Israel. The main reason for these achievements was a clear targeting of the multinational or national companies doing business in Israel in general, and in the occupied territories in particular.

The precursor and first successful response came from the British teachers' union, the Association of University Teachers (AUT), which overwhelmingly passed a motion supporting academic boycott on Israel as early as 2005. A year later, the National Association of Teachers in Further and Higher Education (NATFHE)—the largest union for educational and academic staff, with 69,000 members—voted in favour of a motion recommending its members boycott Israeli academics and institutions that do not publicly declare their opposition to the occupation and to Israel's racist policies (PACBI 2006). This was an important step because the AUT's earlier support had been retracted under pressure from Israel and the pro-Zionist lobby in the UK. The same campaign was directed at NATFHE but, as its General Secretary explained, his union did not budge under such pressure:

Many emails berate threats to deny academic freedom for Israeli professors but fail to mention that academic freedom in Palestine is a hollow joke. Even where staff and students are allowed freedom of movement to attend university, the material basis for a functioning academic life barely exists. [...] Actually it is not possible to be 'even handed' in the face of such injustice. The Palestinian people and Palestinian civil society including the universities need support and solidarity as never before and I will not be bullied into silence. (PACBI 2006)

In the wake of the 2014 Israeli assault on Gaza, the National Union of Teachers (NUT), the largest teachers' union in Europe, closed the circle by passing a resolution backing the BDS movement.²

I will return to the question of academic boycott later in this chapter. Here I just wanted to record it chronologically as one of the first major translations of the Palestinian call to action in Britain. Whether heeded by members of these unions or not, what this did was introduce new concepts into the public discourse on Palestine, which was also helped by the early events organised by students in the UK in solidarity with the BDS. The students called their actions "the Israeli Apartheid Week"; these first unions supporting BDS employed a similar language referring to the settler colonial nature of Israel by using concepts such as apartheid, colonialism, and, later on, even decolonisation. The mainstream media continued to talk about a "conflict"—implying the existence of two equal parties— and "peace"—as if all you needed was two "peace camps" on both sides lobbying for a just solution based on the partition of the country into two states (one stretching over more the 80 percent of Palestine with full sovereignty, while the other divided into two bantustans with very restricted sovereignty) (Chomsky and Pappé 2010). The new language more accurately described the situation on the ground: a continued project of settler colonialism that began in the late 19th century and continues to this very day. Reconciliation in such cases do not evolve around peace, but instead are based on agreed process of decolonisation.

More trade unions joined later around 2010. The BDS campaign in the UK really took off when many of Britain's trade unions threw their weight behind it. Various trade unions voted unanimously to support BDS, such as the Transport Salaried Staffs' Association (TSSA), the Public Service Union (UNISON), the GMB (a union that represents more than half a million members), the Public and Commercial Services Union (PCS) and the Fire Brigades' Union (FBU). To this list, one can add societies of physicians and architect, although some of these retracted under pressure later on.

These exceptional demonstrations of solidarity were a reflection of both the principled support of UK trade unions for the Palestinian cause and an emotional reaction to events on the ground. This particular wave of endorsement came in

² For NUT's annual conference decision see: <https://web.archive.org/web/20140723190455/http://www.teachers.org.uk/files/nut-final-agenda.pdf>

the wake of the Israeli assault on a peaceful flotilla that tried to break through the inhuman siege Israeli imposed on the Gaza Strip (the Mavi Marmara affair). Social movements' advocacy quite often is re-generated by events on the ground, when the solidarity infrastructure is already there.

Parallel to advocacy among trade unions, several companies from 2011 onwards were targeted by the BDS movement. These were mainly firms and outfits operating in the occupied territories, which very clearly included the occupied East Jerusalem area. The first effective action was directed at the Adidas sponsorship of the 2012 Jerusalem Marathon, which passed through occupied East Jerusalem. Their shop at Covent Garden in London was the venue selected for a big protest, where a letter was submitted to be forwarded to the management in Europe.³ The BDS campaign activists attracted attention from shop staff, customers, and the general public, distributing flyers to customers both inside and outside on Oxford Street while explaining that the Jerusalem Marathon was yet another attempt by Israel to whitewash its atrocious human rights record and urging Adidas not to sponsor the 16 March 2012 Jerusalem Marathon. The store was evacuated and was forced to close for a time.

The second effective action was directed at Ahava and the industry of Dead Sea products, some of which are produced using stolen Palestinian natural resources in the occupied West Bank territory and are produced in the illegal settlement of Mitzpe Shalem. Demonstrations have been taking place outside the Ahava shop in London every fortnight since 2010, following a specific call to action from the Bil'in Popular Committee. Ahava's central London flagship store was forced to move following a sustained campaign from BDS activists. The campaign there convinced the big high street retailer, John Lewis, to stop stocking these products (Sherwood 2012).

Such was also the result of a focused campaign against the French multinational firm Veolia, which, under BDS-UK pressure, eventually sold off all its stakes in Israeli projects. In 2012, the Tower Hamlets council in London excluded Veolia from local procurement contracts because of its suspected activity in the occupied territories (Newsweek 2015). The Swansea council passed a motion to exclude Veolia from public contracts, followed by other local councils in Edinburgh, Portsmouth, Richmond, and the West Midlands; all of them excluded Veolia from public procurement processes after pressure from campaigners for Palestinian rights.

In 2013, The University of Sheffield decided not to renew its waste collection contract with Veolia following a campaign initiated by the campus Palestine Society with student union support (Deas 2013). The campaign called on

³ In a similar way also, the firm Puma was targeted. By 2018, the pressure bore fruit with regards to Adidas see <https://bdsmovement.net/news/team-justice-scores-adidas-no-longer-sponsoring-israel-football-association>

the university to cut ties with the company over its contracts with the Israeli state to provide waste and transport services to illegal Israeli settlements in the occupied West Bank. Eventually, Veolia ended its role in illegal Israeli settlements after local councils in the UK and beyond dropped it from contracts worth more than £10bn (Deas 2013).

Another target was G4S, the giant British private security company that provided equipment and services to the Israeli prison system, Israeli police, and military checkpoints. G4S came under considerable pressure from BDS campaigners since 2011. The first tangible success was to persuade the Bill and Melinda Gates Foundation to sell off its shares in the company (Di Stefano and Henaway 2014). However, the campaign also continued in other areas and had, as we shall presently see, other impressive tangible successes.

The campaign against G4S was not only undertaken by the BDS movement. Almost all Palestine solidarity groups partook in it. Led by the Palestine Solidarity Committee and supported by trade unions such as the Scottish trade union, this was a high-profile action. Two brave activists occupied the roof of the G4S headquarters in London and when brought to justice, both defendants pleaded “not guilty” on the basis that, among other things, the activity they were accused of obstructing is unlawful (in reference to G4S’s contracts with the Israeli Prison Service, its services to Israeli settlements and military checkpoints, its use of unlawful restraint techniques in immigration detention centres, and so on) (BDS movement 2016a).

A by-product of the campaign was pressure on a gas company (“Good Energy”) that contracted G4S to conduct door-to-door energy meter readings since 2008. The campaign persuaded this gas company to announce the end of its business relationship with G4S due to its collaboration with the occupation. The company itself attributed its decision to the G4S role in the death of Jimmy Mubenga, an Angolan who died on a deportation flight while being “restrained” by G4S guards, which sparked public outrage (BDS movement 2016b). The crux of the matter was that the public outrage fused together G4S’s role in Palestine with the abusive treatment of deportees in Britain. Eden Springs and SodaStream were also on the list. The Eden Springs company manufactured bottled mineral water from the occupied Golan Heights and SodaStream once had a factory in an industrial zone in the occupied West Bank. Pressure from students at the London School of Economics and Political Science (LSE) led to the abrogation of the university’s contract with Eden Springs and members of eight trade unions joined a long-running weekly picket of SodaStream’s only UK shop, Ecostream, in Brighton in 2014 (Corporate Watch 2014). Although Eden products can still be seen in certain locations in the UK, SodaStream eventually moved its factory outside of the West Bank. Some older causes were also added to the campaign, such as the continued struggle against the Jewish National Fund (JNF) and its activities in the UK.

The BDS campaign and other organisations appealed to the Charity Commission to investigate the JNF's racial discrimination on the ground in Israel and Palestine and questioned its legality in Britain (Stop the JNF UK 2013). "The Stop the JNF" campaign made an application to the Charity Commission for the removal of JNF charities from the register of charities. The application gave evidence that the JNF is racist, and complicit in the ethnic cleansing of Palestinians. All UK charities are supposed to be for the public benefit. "The Stop the JNF" application demonstrated that the purpose of the JNF is contrary to the requirement of public benefit and does not qualify the organisation for charity status. Over 500 people also wrote individual complaints to the Charity Commission. The issue is still pending, with no conclusion yet reached. On the ground, BDS activists joined other groups in shadowing JNF activities in the UK. The groups in Scotland were, and still are, particularly active on this front. An event to be held at a St. Andrews hotel in Edinburgh, aimed at raising funds for the Friends of the IDF and the JNF, was cancelled on police advice in the face of serious mobilisations for planned protests. Palestine activists, human rights campaigners, and students joined forces to speak out against the inclusion of Friends of the IDF and the JNF on the list of organisations benefitting from the fundraiser.⁴

The academic boycott

The call for BDS included a call for an academic boycott focused on institutions rather than on individuals. It was a far more elastic definition than usually is thought of, and it was also shaped by local interpretations of how best to implement it. In hindsight, we can say that, although it did not yet convince university managements or leaderships to heed the call, it still had a huge effect on student unions and prodded individual reactions by members of the academic staff. Some chose not to participate in academic events in Israel, others rejected joint academic ventures with Israeli universities, and some academic unions pressured their universities to freeze or cancel bilateral agreements with Israeli universities.

As elsewhere, this generated a debate about the boundaries of academic freedom, which is beyond the scope of this chapter. In the main, there seemed to be total disagreement between the university managements position that the academic boycott call violated the freedom of expression, and their academic communities that saw it as a harsh, but necessary, dialogue with Israeli academia, which they blamed for being directly and indirectly complicit in sustaining the criminal policies on the ground.

⁴ Scottish Palestine Solidarity Campaign announcement, 26 April 2013.

The ambivalence that accompanies the debate on academic boycott comes to light in an interview BDS activists conducted with Jeremy Corbyn when he was competing for the leadership of the Labour Party. He said that academic boycott was a “very complicated” issue, while endorsing boycott of goods from settlements in the occupied territories. He said that “for example, [this boycott] would prevent Israeli dissidents such as Ilan Pappé from coming to speak in the UK” (Electronic Intifada 2015). To this example, the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI)— the committee overseeing the academic boycott in the UK—responded:

However, the guidelines published by PACBI – the Palestinian academic and cultural boycott campaign – do not in any way exclude someone like Pappé who does not represent a boycottable academic institutions from speaking. (Electronic Intifada 2015)

But Corbyn did add that:

If it is a university that is doing research into drones, taser weapons, or doing research into surveillance of the occupation in Gaza and elsewhere then they should be part of the boycott. (Electronic Intifada 2015)

By and large, the initiative in the campuses was transferred to the students and in 2011, the campuses became the main venue for BDS activities. One of the first student unions to take action was in Sheffield University. The union there voted to support BDS campaigns by a large majority in a referendum held in October 2011, with specific reference to the campaign against Veolia (as mentioned before).

... By passing it as official union policy it was possible to send a much stronger message to the university: that the student body as a whole does not want to incentivise companies, like Veolia, who suffer from such an abject lack of moral compass. Following the policy’s success in the October vote, we have worked with various groups to lobby and pressure the university into taking notice of the student voice. This has included an open letter signed by the Palestine Society and other campaigning groups, demonstrations on the concourse, letters from human rights groups in Palestine, Israel, and beyond, and direct lobbying from the sabbatical officers. (Deas 2013)

The student’s actions spread all over the UK. The Students for Justice in Palestine at Edinburgh University overwhelmingly passed (270 vs 20) a motion to boycott Israel. More specifically, it decided to boycott Israelis goods in the university students’ shops and supply chains. The meeting was ten people short for the binding quorum needed to make the decision effective, but the point was clear. In all such motions, the union called on their own councils to “do everything in its power to support the Boycott, Divestment and Sanctions campaign against the pariah state of Israel” (Students for Justice in Palestine 2011). The activity in Edinburg included disrupting official speakers on behalf of Israel, such as the advisor to the then foreign minister, Avigdor Lieberman, and

the Israeli ambassador at the time, Ron Prosor. Support came from the national to the local student unions, and also groups such as the UK's National Union of Student's Black Students conference, which endorsed the Palestinian call for BDS at their national conference at the University of Warwick (White 2014).

The campaign against arms sales

Less successful but very intriguing was the attempt to impact British arms sales to Israel. It seemed at first to be quite successful when in 2014, British arms sales to Israel faced high court challenge in the wake of the Israeli assault on Gaza in the summer of 2014 (Doward 2014). A leading UK law firm claimed that the government's failure to suspend existing export licences was illegal. The law firm representing the Campaign Against Arms Trade (CAAT), Leigh Day, wrote to the business secretary, Vince Cable, claiming that the failure by the British government to suspend licences for the export of military components to Israel was unlawful as there was a risk that they might have been used in Gaza. It said that it was instructed to seek a judicial review of the government's reluctance to suspend licences unless it agreed to stop the export of the components. The move exposed the fact the UK's controversial export policy was on a potential collision course with the European Union (EU). It also put the UK's multimillion-pound military export programme in the spotlight when Israel's actions in Gaza caused international concern and there was mounting disquiet about the role foreign states were playing in sustaining the Israeli war machine. However, this campaign did not stop arms sales to Israel.

One of Jeremy Corbyn's last actions before losing the 2020 elections was to lead the Labour Party into declaring that, when in government, they would impose a two-way arms embargo on Israel (Electronic Intifada 2019). In an interview with Electronic Intifada he reiterated his early position, mentioned above, that Israeli universities involved in arms research should be boycotted: "I think we have to push robustly for the limitation of arms supplies," Corbyn said, adding that he believed Israel to be "in breach" of the human rights clauses of the EU-Israel trade agreement. His views were echoed by the action of the trade unions. Both Labour Party and the British Trades Union Congress (TUC) voted for ending arms trade with Israel (Electronic Intifada 2019).

These actions were strongly opposed by the Conservative government of Theresa May, which saw no reason for conducting a review into arms licenses to Israel. As Corbyn put it, "Certainly the trajectory of the Conservative government is to approve of continuous arms sales" (Electronic Intifada 2019). What was particularly frustrating for the BDS activists was that these licenses kept coming even during the brutal Israeli assaults on the Gaza Strip in the summer of 2014. The activists attempted to enlist the British foreign office in this campaign since it includes Israel on a list of "countries of concern" for

human rights abuses. The UK's own export criteria, if implemented, would have banned military exports to countries that violate international humanitarian law, or when there is a "clear risk" of the weapons being used "to assert by force a territorial claim." One cannot think of any other case studies that fit so well these conditions and requirements.⁵

The struggle over this issue also was taken to the streets and campaigners blockaded factories selling arms to Israel, calling for them to be shut down. One of them, UAV Engines Limited, makes drone engines for Elbit Systems. The embargo on arms sales to Israel was a leading theme in the huge demonstration in London against the Israeli assault on Gaza in 2014. The action also became more localised. Glasgow City Council, for instance, promised supporters of Palestinian rights that it will no longer sponsor arms fairs featuring Israeli weapons manufacturers and will ensure that the city's guidelines for hosting future events reflect that "Glasgow is a human rights respecting city".

From the very beginning, the Israeli lobby took this challenge as a genuine threat to Israel's national security. The main pitch of the lobby was to recruit the Conservative Party, which supported British arms sales to the world at large— thus, the lobby described the demands for a freeze on arms sale to Israel as a threat to local industry. It was, in the conservative discourse, a "warfare against those who would not allow our military industry to sell warfare"— a chilling language used by cynical arm dealers. It is an industry that, in 2014 alone, licensed over £40 million worth of military exports to Israel. More recently, licenses were granted for weapons exports to Israel valuing £292 million during the period 2008-2015.⁶

The backlash: Weaponising Antisemitism and the Holocaust memory

Since 2010, successive Israeli governments under the leadership of Benjamin Netanyahu regard the BDS movement as a strategic threat to Israel's national security. A special ministry, the Ministry for Strategic Affairs, was established to fight what Israel called "the campaign of de-legitimation". The UK was singled out, alongside with the USA, as the most important BDS power centres. Quite a substantial sum of money was allocated to fight against it, and this effort continues until today (Pappe 2010).

At first, the attempt was made to brand Israel as the only democracy in the Middle East with the help of local public relations companies. This initiative did

⁵ See the full BDS report and reasoning in <https://bdsmovement.net/military-embargo>.

⁶ Even a more accurate assessment can be found in the updated reports in the following website: <https://caat.org.uk/resources/countries/israel/>.

not fare too well, as it coincided with the repetitive brutal Israeli assaults on the Gaza Strip.

One of the first battles the various Conservative governments fought against BDS since its inception was on local councils' initiatives to support the campaign. In reaction to these initiatives, the Conservative governments of David Cameron and Theresa May did all they could to intimidate local councils against continuing their support for the BDS. In 2016, the May government banned any divestment action by local councils. Regardless, quite a few local councils withdrew their pension funds from companies associated with Israel. This action did not deter the BDS campaign. The activists took their case to the Supreme Court and had an impressive win there. The court disallowed the government ban on local government pension schemes that decided to divest from Israeli companies as part of their support for the BDS campaign. The court ruled that these were ethical and legal positions.⁷

A more concentrated effort was made to weaponise antisemitism against BDS. This campaign was successful when it transpired that, in the Queen's speech of Boris Johnson in 2019, BDS was defined as antisemitism (Kentish 2019). A parallel action was to include the BDS movement as a security threat in the government's PREVENT program. This counterterrorism program calls upon universities to monitor and prevent any extremist activity on the campuses (mainly related to Islamism). The success here was more mixed and did not directly affect the BDS campaign's activities; however, it limited, and in some cases cancelled, academic lectures, conferences, and workshops on Palestine. Here, established Anglo-Jewish organisations, such as the Board of Deputies, and the community's main journal, *The Jewish Chronicle*, acted as agents of Israel in fighting the BDS campaign. They played a similar role in trying to include BDS support as a violation of the instructions included in the International Holocaust Remembrance Alliance (IHRA) definition of Holocaust denial. The IHRA is an association of 31 countries dedicated to perpetuating the memory of the Nazi genocide, which adopted a new working definition of Holocaust denial in 2013. The Labour Party also adopted this definition (Sabbagh 2018) and recently the higher education minister threatened British universities with financial sanctions should they not adopt the definition. It included (albeit as a vague reference) as an act of denial any criticism of Israel or Zionism. Time will tell how effective this absurd step will be in combatting BDS in the UK.

The most important campaign of weaponising antisemitism against the pro-Palestinian activity was not directed against the BDS movement, but against Jeremy Corbyn. It was an alliance between the Zionist lobby that dreaded the idea of a pro-Palestinian politician reaching the high post of a

⁷ The whole affair is described in detail in the BDS website: "UK High Court Rules in Favour of local councils who Support Boycott of Israeli Occupation," 1 July 2016. <https://bdsmovement.net/news/uk-high-court-rules-favour-local-councils-who-support-boycott-israeli-occupation>

Prime Minister, and the Blairites in the Labour Party who vehemently opposed the socialist policies proposed by Jeremy Corbyn and his allies in the Labour Party. The recent dismissal of Corbyn from the Labour Party and the smear campaign against him, supported by the mainstream media in the UK, has brought about Corbyn's political downfall (Levy 2019). However, so far, this setback did not decrease the intensity of BDS activity in the UK.

Conclusion

The BDS campaign worldwide and in Britain is modelled on the anti-apartheid solidarity movement, which successfully led to boycott of, and eventually sanctions against, the apartheid regime in South Africa. Of course, this campaign faces much more formidable obstacles on its way forward: lack of clear unity and orientation of the Palestinian national leadership, the impact of the Holocaust memory, and powerful Christian and Zionist lobbies in the United States.

However, BDS fared quite well in Britain, a country which is directly responsible for the catastrophe that befell the Palestinian people in 1948. Even if the powers that be in the UK are unwilling to recognise this responsibility, their civil society, by and large, feels accountable. This explains the wide support for BDS in the UK.

The BDS movement galvanised even more people after the Israelis imposed a siege on the Gaza Strip in 2007 and assaulted the population there several times with all its military might. These offensives culminated in the brutal destruction of the Strip in the summer of 2014. A mass demonstration in London, the decision of local councils and trade unions to divest from Israel, and the intensive activity on university campuses indicate how powerful solidarity with Palestine is in the UK; nowhere else in Europe is there such a grass-root movement that represents of all walks of life.

The uniqueness and the particular achievements of the BDS movement in the UK have also attracted the attention of Israel. Since 2010, the Israeli Prime Minister's office, the Mossad, and the Ministry for Strategic Affairs do everything they can to bring down the BDS campaign. Their main weapon is to portray the campaign as anti-Semitic (while in fact, in the UK, many of its supporters are Jews themselves and quite a few are people of Israeli origin). As the Al-Jazeera investigative program, *The Lobby*, has shown, the Labour Party and the Conservative Party were targeted with the help of Anglo-Jewish bodies and media to shoot down any potential support for the Palestinians. The campaign culminated in a character assassination assault on Jeremy Corbyn when he was the leader of the Labour Party, which brought about his political downfall in 2020.

Other means were used to persuade successive Conservative governments to consider pro-BDS actions as a violation of the PREVENT program, a series of counterterrorism legislations and policies meant to uproot Islamic extremism. The success was partial, but the jury is still out on this part of the anti-BDS effort.

I doubt whether any of these or similar measures will be able to stop the support for, or the activity of, the BDS movement. The ongoing Israeli colonisation of the West Bank and the incremental ethnic cleansing that accompanies it, the continued inhuman siege on the Gaza Strip, and the daily violations of the rights of the Palestinians in Israel will fuel the BDS campaign for years to come. These realities on the ground are much stronger as human motivators than the intimidation sown by Israel and its lobbies in the UK.

As elsewhere, the more important question is: will the boycott turn into sanctions, as happened in the case of South Africa? Even there, it was a long process before anti-apartheid sanctions against South Africa were adopted. Time will also tell whether the widespread support for a more active and assertive British position on Palestine among the British electorate will eventually turn into policies on the ground.

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Chapter Twenty-Three

What Does the Boycott Tell Us About Democracy?

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This chapter examines the democratic challenges that the experience of the Boycott, Divestment and Sanctions (BDS) movement around the world reveals and the ways the movement deals with such challenges. The chapter focuses on the democratic question in cases in the Global North and the Arab region. In the first two parts, the chapter discusses the contradictions related to democracy in the Global North. It shows how while wide social forces in the Global North in the new millennium push forward for the boycott of Israel, many executive authorities go into the opposite direction. The third part of the chapter discusses the effect of the authoritarian context in Arab states on the boycott where wide public opinions support the boycott, and discusses how it reveals contradictions related to a 'new democracy' when a revolution succeeds in toppling a dictator in Tunisia. Finally, the chapter discusses how the movement reacts to the limitations of democracy.



The Great March of Return

2019 | Light jet print mounted on matt diasec. 200 cm diameter. In the museum collection of The Arab World Institute in Paris, and the Contemporary Art Platform, Kuwait.

Steve Sabella, <https://stevesabella.space/pages/the-great-march-of-return>

Introduction

The Boycott, Divestment, and Sanctions (BDS) movement encounters suppression at different levels in different regions around the world. Moreover, the movement also encounters contradictions related to how to deal with diverse dimensions of freedom and democracy, where sometimes the line between boycott and censorship could be crossed. This chapter aims to deliberate these challenges and the responses to them. Specifically, it aims to discuss the democratic challenges that the experience of the movement around the world reveals and ways the movement deals with such challenges, with a focus on the democratic question both in the Global North and the Arab region.

Indeed, many governments around the world try to impose restrictions on the ability to engage in boycotts. In some countries, activists are imprisoned, such as in Egypt (i.e., the coordinator of BDS Egypt Rami Shaath) and in Israel (arrested the BDS National Committee coordinator in Palestine for twenty days and restricted others from movement). In many countries in the Global North, such as France, Germany, the United Kingdom (UK), and the United States (US), activists have been struggling for years to carve spaces of freedom to practice their fundamental right to freedom of speech, exemplified in their right to boycott Israel. Interestingly, as the movement encounters these difficult dimensions of freedom, researching the movement is not less challenging.

It is not an easy task to freely and critically research the boycott movement. In the racist context of the Global North where states still support major components of the Israeli colonial project against Palestinians, the researcher could encounter potential accusations of antisemitism. When I questioned in a seminar in Brussels in 2019 at the Institute for European Studies how a state can still be qualified as democratic when it supports authoritarian regimes or occupiers such as Saudi Arabia or Israel, a “democratic think tanker” present among the participants opposed in principle the raising of such a question when “Israel is the only democracy in the Middle East,” and left the room with anger. In reality, I raised the question not about Israel but about European “democracies.” Israel’s condition is worse. According to one classification by Oren Yiftachel, Israel is an “ethnocracy,” which is neither authoritarian nor democratic, but is highly authoritarian and bloody when it comes to dealing with Palestinians and Arabs. The moderator of the discussion did not comment, while one professor pointed out the legitimacy of the raised question and rightly pointed out that there is emerging literature about the subject. Moreover, most of the persons in the room, who are Europeans and from other nationalities, approached me after the discussion and demonstrated dissatisfaction with the objection to raising such a question.

In the authoritarian context of the Arab region, a researcher on the boycott movement could easily encounter censorship. However, as I have learned, not only can oppressive states punish you, but also those in opposition, sometimes—who cannot agree with a critical discussion about the boycott movement, and with the discussion of any potential boycott of the State of Israel are slipping here and there into censorship. This chapter aims to debate this conundrum between democracy and censorship in relation to the boycott movement.

This chapter benefits from doctorate and post-doctorate research on the BDS movement. The research originally focused on norms and ways the movement followed around the world. It conducted 47 interviews, mainly with activists from Palestine, Belgium, the UK and the Arab region. The argument in this chapter is elaborated in three parts and a conclusion. The first two parts look into the question of democracy in northern contexts in relation to the boycott movement. The third parts build on examples from Lebanon, Tunis, and Jordan to discuss how the movement encounters the challenges of democracy in an Arab context. In the conclusion, the chapter further deliberates the question of democracy and outlines the movement's response to the identified limitations of democracy. The chapter argues that the boycott's momentum around the world reveals the shallowness of liberal democracy around the world, especially when this democracy is separated from other causes, such as social justice and anti-racism norms.

The democratic questions

In the new millennium, and with the start of the Palestinian Second Intifada, two developments occurred. First, boycott initiatives around the world have been carried up by a new rising anti-war movement in particular, and an "alter-globalisation movement" in general, with one part of it calling for a global democracy. Second, a major shift away from supporting Israel in European public opinion, and generally in the Global North, has been accelerating. These public opinions have changed from supporting Israeli colonisation to viewing Israel negatively. It took many gradual public opinions shifts in to reach this change.

Robert Cox is known for raising early on the issue of the links between the social forces inside a state and its foreign policy (Cox 1981, 126). In relation to the boycott of Israel, hegemonic social groups in many states in the Global North have been supporting Israel, while recently less established social groups have been critical of Israel and even call to implement some measures related to the boycott, divestment, or targeted sanctions against Israel—if not adopting the three demands of the BDS movement as they are. As annual surveys

conducted by GlobeScan (commissioned by the British Broadcasting Corporation, or BBC) demonstrate, Israel has been negatively rated in more than twenty states covered by the survey and by the majority of European public opinion. In 2007, for example, 56 percent of the people surveyed viewed Israel negatively compared to 17 percent who viewed it positively (BBC 2007). This pattern has been consistent since 2005, when the BBC started conducting these annual surveys (Abunimah 2017). In 2012, 68 percent of Britons viewed Israel negatively—which is close to average European public opinion expressed that year—while half of surveyed Americans viewed Israel positively (Abunimah 2017).

In the UK, this change in public opinion paralleled increased activism for Palestine. The membership of the Palestine Solidarity Campaign, a major body of solidarity in the UK, increased from 350 to 5000 members within a few years after 2000. The Palestine Solidarity Campaign started a boycott initiative in 2001 against Israeli settlements products, which was followed in 2002 with a petition by academics in the UK to stop European Union (EU) scientific cooperation with Israel. These two initiatives paralleled many similar initiatives across the Global North, which were followed by an increase in boycott initiatives, especially after the subsequent Israeli wars on Gaza.

Around 40 percent of boycott initiatives against Israel in the UK (between 2005 and 2017) have adopted the three BDS demands against Israel,¹ which means that these initiatives replied to the whole colonisation project in Palestine: the 1967 occupation, racism inside Israel, and the right of return of Palestinian refugees. The other 60 percent of the boycott initiatives in the UK for this period were mostly limited to the occupied Palestinian territories of 1967.

Similarly, a public survey in the UK in 2017 demonstrated that 43 percent said that BDS is reasonable while 14 percent objected. More than 50 percent of those who vote for the Labour Party and the Liberal Democrats supported BDS, while two in five voters for the Conservatives also think that BDS is reasonable (Winstanley 2017). Yet, one needs to read the polls with caution. The mentioned survey was commissioned by the Palestine Solidarity Campaign (conducted by YouGov in May 2017). Another poll commissioned by the British Israel Communications and Research Center (conducted by Populus in 2017), for example, found that 48 percent of British respondents agreed with the statement: “I don’t boycott good or produce from Israel and find it difficult to understand why others would single out Israel to boycott given everything else that’s going on in the world” (BICOM 2018).

All this is not to suggest that the majority of society want to exercise measures against Israel, but that there are major organised bodies that want to do so. As the UK suggests, major organised bodies in society passed resolutions

¹ BDS is a reference to the BDS call of 2005 that turned into a Palestinian and global movement. The 2005 call asks people of conscience to boycott Israel until it ends its occupation, ensures equality, and asserts the return of refugees.

to boycott Israel. Major labour unions have been engaged in the boycott. Public sector employees represented by Unison, the largest trade union in the UK, passed a resolution to boycott Israel. Around twenty university student councils and the National Union of Students passed a resolution in 2015 to boycott Israel. Major academic unions, including the congress of the University and College Union, passed successive resolutions to boycott Israel. The UK's National Union of [school] Teachers adopted a boycott resolution in 2014. Major artists have taken vocal stands against whitewashing Israel. Major international non-governmental organisations (NGOs), such as Amnesty International and Oxfam, engaged in some boycott initiatives. The leftist base in the Labour Party (and the previous leadership of Jeremy Corbyn)—a major party in the UK—adopted partial boycott initiatives, although met with fierce backlash; declarations by heads of the Green Party and Liberal Democrats were also made from time to time.

At the level of parliaments, the European Parliament took consecutive decisions to stop the EU's special support to Israel. For example, on 10 April 2002—while Israel was invading Palestinian cities, towns, and refugee camps—the Parliament asked the EU Council and Commission to freeze the EU-Israel Association Agreement and to stop exporting weapons to Israel. The European Parliament's call was repeated in 2009. Yet, these European executive bodies ignored it. Of course, the decision-making process in EU institutions is bound by consensus between states and other considerations, but the EU executive bodies headed in the opposite direction through by additional agreements furthering special relations with Israel. In 2004, Israel was the first state to sign a join Action Plan under the European Neighbourhood Policy (ENP), which matches the EU-Israel Association Agreement in its importance. Though the EU took limited and cautious measures against Israeli settlements in relation to labelling products and to investment, the EU signed addition special relations agreements with Israel, such as the industrial agreement (Agreement on Conformity Assessment and Acceptance of Industrial Products, or ACAA) in 2012, and included Israel in the "Horizon 2020" research program in 2014, while keeping the EU-Israel Association Agreement intact. The Irish government (dominated by Fine Gael) refused to ratify the proposed law by the Irish parliament in February 2019 to ban and criminalise trade with the Israeli settlements in the occupied Palestinian territories of 1967.

This societal support for the BDS movement not only exists in the UK, but also in the US. This is significant since the US has been the official sponsor of Israel since the 1967 war. Comparing two US cases— i.e., boycotts of the apartheid regimes in South Africa and in Israel—suggests a striking similarity in societal momentum between the old anti-apartheid movement in South Africa and recent anti-Israeli apartheid movements. In these two cases, it has been a similar time interval between the start of boycott activism and the result of adopting the boycott in the city of Berkeley, along with the University of

California, Berkeley, and Hampshire University. It is obvious that there is great momentum in many northern societies to support major aspects of Palestinian rights, such as calling for the end of occupation or adopting the BDS position. Yet, the governments that represent the more established social classes and groups take almost the opposite position by supporting Israel and trying to suppress the right of their citizens to express their opinions in supporting the boycott of Israel.

There is the question of the relation of democracy to the “other.” There are real questions about the meaning of democracy and freedom in world politics that the research about the boycott of Israel raises. Can a state be called democratic when the party that wins liberal elections tries to censor freedom of expression by banning the call to boycott Israel even though major segments in society support aspects of this boycott? For Achille Mbembe, “[D]emocracy, at its core, designates an ethical incident based on the recognition of the Other in her uniqueness (unicité). The future of democracy hinges on the issue of how to treat the Other. Thinking a democracy-to-come and thus reorienting critical thought towards an open, unpredictable future presupposes a critique of the forms of universalism that construct the Other as an enemy. It presupposes a deconstruction of the colonial knowledge that enabled colonial rule and it requires a rereading of history that posits us as sharing a history and a future” (Gädeke 2018).

Confining democracy to the mainstream liberal understanding fails to make us comprehend the depth of global relations. As Raffaele Marchetti argues, the “main rival narratives [to global democracy] (realism, nationalism, civilizationism, and liberal internationalism) are rebutted on grounds of failing democratic principles of inclusion” (Marchetti 2008, 1). Moreover, Marchetti adds: “Either democracy is global or it is not democracy [...] Any political system that applies allegedly democratic principles within a limited scope is either a hypocrisy or an illusion. [...] Vast sections of the world’s population have, in fact, no say in transborder decisions that (often profoundly) affect their lives. From a democratic perspective this lack of voice is not acceptable” (Marchetti 2008, 1). Hence, does a country qualified as democratic deserve this quality when it supports authoritarian colonisation in Palestine or an oppressive regime in Qatar, Saudi Arabia, or Syria?

Major components of society call for the boycott of Israel while respective governments insist on carrying out special relations with Israel, as discussed above. In addition, why do the major Global North states, which had a major impact on the fate of another people (i.e., the Palestinians), qualify themselves democratic while excluding the Palestinians from determining their own fate? It is difficult for such states to use the terrorism label as a pretext of exclusion against a peaceful movement like the BDS campaign, but the negation this time as the Other—to be excluded from democracy—manifests itself mainly

through the accusation of antisemitism. When a person in Germany, for example, is labelled as an anti-Semite, this means negating the legitimacy of this person. In many Global North states, there is great momentum by elected parliaments, governments, institutions, and/or mainstream media to label the BDS movement as anti-Semitic.

Achille Mbembe, who discussed this negation of the other to be excluded from democracy, was himself accused in Germany of an antisemitism because of his support to the BDS movement. Mbembe argues that, in the wake of wars of decolonisation, the colonising states have become accustomed to being in a state of war with an enemy, which is fuelled by feelings such as fear and anxieties about extermination. Mbembe writes:

[L]iberal democracies – already considerably ground down by the forces of capital, technology and militarism – are now being drawn into a colossal process of inversion [....] This master-desire – at once comprising a field of immanence and a force composed of multiplicities – is invariably directed towards one or several objects. ‘Negro’ [*Nègre*] and ‘Jew’ were once favoured names for such objects. Today, Negroes and Jews are known by other names: Islam, the Muslim, the Arab, the foreigner, the immigrant, the refugee, the intruder, to mention only a few [....] The desire for an enemy, the desire for apartheid, for separation and enclosure, the phantasy of extermination, today all haunt the space of this enchanted zone. (Mbembe 2016, 23)

In this quotation excerpt, Mbembe used the Palestinian case as a major example, beside that of South Africa, to explain the “democratic” coloniser’s desire for building separation walls, exercising control and engaging in “ethnic cleansing” if needed. The BDS movement is being accused of anti-semitism and treated as a new enemy according to this mindset and state of fear—an accusation that is mobilised to deny freedom of expression for those calling for BDS.

Freedom of expression in the North

In the Global North, fundamental freedoms such as the freedom of expression and freedom of protest are primary rights that protect the BDS movement from government harassment there. In response to the growing momentum in Global North societies in solidarity with Palestinian liberation and the calls for the boycott of Israel, diverse northern governments have responded by trying to penalise the right to boycott Israel. The UK government asked local councils in 2016 not to boycott any foreign country that the government has not announced a formal boycott against or imposed sanctions on. It took around four years of legal battles until the UK Supreme Court declared in April 2020 that boycott supporters have the right to express their opinions and to protest (TRT 2020). Prime Minister Boris Johnson, who describes himself as a

“passionate Zionist,” wanted to introduce a similar law in late 2019. Since 2013, there have been different cases in UK courts concerning the right to boycott. Defending the right to express your opinion and to peacefully protest Israeli policies has been penalised in one way or another in major rich states of the Global North, such as Australia, Canada, France, Germany, the UK, and the US, among others.

The same momentum for penalising the boycott of Israel and the BDS movement has been happening in the US, but more aggressively. Since 2014, several American states and the US Congress have started to move against the right to boycott Israel. The penalising measures were introduced after the American Studies Association adopted a resolution of academic boycott to Israel in 2013. Until June 2020, 29 American states have passed resolutions against the boycott of Israel, not to mention the US Congress. There is a huge ongoing effort to suppress the right to boycott Israel. Yet, Congress, the White House, the states, mayors, and university administrations, among other established authorities, push as much as they can to bypass the constitutional right of expression that prevents American legislators and governing bodies from criminalising the right to boycott Israel. In 2018, the Congress passed a resolution that criminalises the boycott of Israel, carrying with it a fine that reaches a million US dollars (Palestine Legal 2018). The American Civil Liberties Union responded with an objection to the proposed law amid a campaign by many organisations. The Trump administration did not pass the congressional resolution. In 2019, with a majority of Democrats, the US House of Representatives had to amend its criminalising resolution and passed a symbolic resolution against the BDS movement (though still stressing the constitutional right of expression and the right to protest the policy of the United States) (US Congress 2019). According to Human Rights Watch back in April 2019, “[m]ore than 250 million Americans, some 78 percent of the population, live in states with anti-boycott laws or policies” (HRW 2019). Hence, a large majority of Americans cannot freely express their opinions on such issues.

Another case in attempting to suppress the freedom of expression came from France, not only from its executive body but also from its highest court. In response to a case where activists called to boycott Israeli products in 2009 and 2010, French courts criminalised the call on the basis of discrimination. The French Cassation court asserted in 2015 the rulings of the French courts. The last court stated: “the exercise of freedom of expression [...] could be subject to restrictions or sanctions which were, as in the present case, measures necessary in a democratic society for the prevention of disorder and the protection of the rights of others” (BNC 2020).

Can we call the US democratic when it suppresses the democratic right of another people and suppresses its own citizens from expressing their opinions on such issues? Of course, classifications are not black and white, but when a state

loses a cornerstone of democracy, how can we still classify it as democratic? Regardless, when one looks at classifications by established organisations, such as Freedom House, this tension is not reflected: specifically, in the section of freedom of expression and freedom of civil society, it gave the US full marks (4/4) and qualified it as “Free” with a total mark of 86/100 (Freedom House 2020),

The BDS movement followed two major responses to the siege facing it. First, it allied itself with less established social groups in northern societies to pressure the states and more established groups to affect foreign policy. Secondly, the BDS movement raised the issue of freedom of expression, with their cases prompting democratic organisations to defend democracy and freedom of expression. Some of these communities and groups qualified as Others are major advocates for democracy in their societies of origin or in northern societies. Hence, when the BDS movement defends itself, it defends democracy and insists on connecting it with justice issues.

The Arab context

Arab regimes have started publicly normalising relations with Israel since the 1978 Camp David treaty with Egypt. Jordan signed a peace treaty with Israel in 1994, after the Palestinian Authority signed the Oslo agreement in 1993. The Gulf Cooperation Council (GCC) decided in 1994 that it would end the secondary and tertiary boycott measures that the Arab League has imposed on Israel since 1945.² The rich Gulf countries added that they would also be happy to end the first boycott measures with Israel if the Arab League also did so, which meant normalising relations with Israel. Successive normalisation steps started until the Palestinian struggle in the Second Intifada (2000) forced them to halt—but this halt was temporary.

A new step was taken by Jordan and Egypt to import Israeli-discovered natural gas: worth US \$10 billion dollars in the case of Jordan, and a fifteen-billion-dollar deal in the case of Egypt. Bahrain, Saudi Arabia, and the United Arab Emirates began close coordination with Israel, even on security issues. A preliminary conference for former President Trump’s “deal of the century” took place in Bahrain in 2019. Later on, Arab dictator regimes (which are also based on minority rule by a tribe, family, and/or sect) also started normalising relations with Israel, with the United Arab Emirates’ move in August 2020 shortly followed by Bahrain. In a way, Israel shares certain similarities with them: aside from the common brutality, they share an Orientalist way of seeing the region as composed of merely sects/religions and tribes, i.e., as composed of a minority rule over majorities, as Edward Said described the historical formation of the Levant in the twentieth century. Of course, Iran’s hegemonic tendencies

² The secondary boycott is related to companies that invest in Israel or engage in special arrangements with Israel, and the tertiary boycott deals with companies using Israeli ports or airports.

in the Middle East and the fuelling of Sunni-Shiite sectarianism in the region also prompted Arab Gulf states to seek a strong ally, which partially explains why Gulf states have turned to normalising relations with Israel. However, there is an additional and equally important factor.

It was suggested that Jordan signed the natural gas deal with Israel so that the US administration would not pressure the Jordanian regime to engage in democratic reforms during the protests that erupted there in 2011 (Barkat 2015). The Obama administration thought that introducing some reforms in allied Arab regimes would rescue them from the uprising. It even sacrificed close allies, such as Hosni Mubarak of Egypt. Since Mubarak was sacrificed by the US due to the Egyptian uprising, authoritarian Arab regimes, especially those in the Gulf, have been in a panic (Giacaman 2018). These regimes wondered how, after all these decades of serving US interests in the region while successive US administrations assured them protection, the US could sacrifice them.

Hence, Arab regimes started to build closer relations with Israel that would protect them internally from their people or externally from regional states, or so that Israel might indirectly influence the US on their behalf. Though Trump started his administration by discriminating against Arabs and Muslims, Arab regimes gradually got closer to Trump, and rich Gulf monarchs, especially in the Emirates, Qatar, and Saudi Arabia, spent hundreds of billions of dollars by purchasing American weapons and by other means.

However, Arab societies still largely consider Israel to be a colonising project in the heart of the Arab world. Though Arab dictator regimes lately have been marginalising the Palestinian issue and are heading towards normalising relations with Israel, there are as yet no serious indicators that Arab societies no longer care for Palestine. Annual surveys in more than ten Arab societies demonstrate solid support for the Palestinian cause and support for boycotting Israel; they do not even recognise normalising relations with Israel (The Arab Center for Research and Policy 2018, 2017). Regarding the last issue, 84 percent said in 2011 that they do not recognise Israel and that percentage increased to 87 percent in 2017.³ Of course, one should be cautious with surveys and this chapter looks at qualitative and quantitative indicators together.

Hence, the common view that Arabs do not care anymore about Palestine does not appear true. The Israeli embassy in Cairo was set on fire during the Egyptian revolution. Tunisians wanted to include the boycott of Israel in the post-revolution constitution. Yet, Arab peoples are also busy in their own

³ The only potential recent exception is in Saudi Arabia, and it is not clear if there is real change among Saudi society away from Palestine. In the 2017-2018 poll, 55 percent of surveyed Saudis said they do not recognise Israel, while nine percent said they do, and 35 percent said they do not know. The percentages of those who do not recognise Israel decreased from the previous year by 31 points, which is significant. But the number of those who recognise Israel did not increase and the percentage of those who oppose recognising Israel is still more than half. The percentage of those who do not know increased, which could be to unwillingness to declare their opinion in the authoritarian Saudi Arabian context after the regime started normalisation initiatives—or it could mean the start of a real change in opinion.

Nakba, or catastrophe. Their respective regimes are their Nakba, which has common aspects to the Palestinian Nakba despite major differences, such as the settler-colonisation project in Palestine. For example, this is why some started using the term the “Syrian Nakba.” Arab peoples have been busy the last decade in revolting or protesting against bloody regimes, or else they have been living under dire economic and political conditions.

Quantitatively, some surveys in 2018 demonstrated that some Arab societies, such as Lebanon, Iraq, Sudan, and Tunisia, assessed their economic conditions as worse than how Palestinians under occupation evaluated their economic conditions (the Arab Center for Research and Policy 2018). This is a subjective perception, of course. These surveys also did not include a society such as Syria where people experienced chemical weapons, mass slaughter in prisons, hundreds of thousands killed, and mass displacement. A revolution turned into civil war with regional and international interventions and occupations, a “forever” dictator, and, hence, an economic collapse (i.e., the cost of food rose twenty times from 2011 to mid-2020) (World Food Program 2020).

What can the boycott movement do under such conditions of dictator Arab regimes that tend to normalise with Israel while banning their people from expressing support for Palestinian liberation?

In Jordan, a wide coalition formed in 2015 against the natural gas deal with Israel, and a major force behind it was a newly-formed group called BDS Jordan. The coalition consisted of dynamic professional unions, political parties, NGOs, and youth groups, among others. They signed a wide petition, did mass demonstrations, and mobilised to pressure the legislative branch to act. In the end, the Jordanian parliament opposed the natural gas deal and asked the government to cancel it in March 2019. Nevertheless, the regime continued with the deal and natural gas started to be exported to Jordan at the beginning of 2020.

It is therefore obvious that, to have successful boycott steps, there is a need for democracy. The successive uprisings in Jordan since 1989 till the latest in 2022 have not succeeded, until now, to establish real democracy. Hence, the boycott of Israel could not materialise in the case of the natural gas deal because of the lack of democracy, which raises questions for the BDS Jordan—should it to continue focusing on this specific issue of boycott, as it does until now, or should it widen its scope to include the struggle for freedom issues in Jordan, which includes the struggle for democracy and social justice?

In Tunisia, after the 2011 revolution that toppled the Ben Ali dictatorial regime, there have been new steps towards freedom of expression and democratic consolidation (before the new president Kais Saied’s authoritarian steps in mid-2022). After the revolution, Tunisia witnessed a surge in boycott initiatives against Israel. Pro-Palestinian sentiment has freely expressed itself in

Tunisia. The revolution forces included a preamble clause in the new Tunisian constitution stating that Tunisia would support liberation struggles around the world, with the Palestinian liberation movement at the top of the list. However, a proposed law to enforce boycotting Israel has so far failed to be adopted by the parliament due to fears of American and European aid to Tunisia being cut, as expressed by deputies of the Ennahda party—a regular partner in the coalition government (Shamseddine 2018; al-Sabah 2018). This lack of economic freedom has constricted the boycott of Israel. In this case, democracy loses major aspects of its functioning when it is not coupled with relative economic independence.

Moreover, regimes themselves oppress persons under the pretext of normalising with Israel. A Lebanese actor, Ziad Itani, was arrested and tortured in 2017 and accused of being a spy for the Israeli Mossad; it turned out that the whole issue was related to his criticism of the security apparatus and, in the end, he was declared innocent. The original accusation against him was quickly shared by some well-known boycott activists in Lebanon, who welcomed the arrest (Ittihad TV 2017). Through authoritarian practices amid the self-described Lebanese democratic system, which is also full of cultural censorship, some boycott movements internalise censorship and call for censoring art or books that are accused of normalising with Israel. In another example, the “Campaign to Boycott Israel Supporters-Lebanon” asked the security authorities in Lebanon to ban a film (*Tomorrow Land*) that was accused of normalisation with Israel. The difference, for example, in the boycott activities in the UK is that activists in the UK do not ask to censor an art work; instead, they ask people to voluntarily boycott a festival funded by the Israeli embassy, or ask artists to cancel a show in a mainstream festival in Israel.

Other sorts of authoritarianism embedded within some circles of activists boycotting Israel is support for authoritarian regimes, such as the Syrian regime, and engagement in the divisions of competing regional axes that are obstructing the overall struggle for democracy and justice in the region. It is worth mentioning that the two axes (the Saudi-led axis and the Iran-led axis) are both authoritarian-led axes. In contrast to these acts that link the boycott of Israel with censorship, other boycott activists link the democratic and justice struggle in the Arab states with the boycott of Israel. The coordinator of the boycott movement in Egypt (BDS Egypt), Rami Shaath, has been detained since July 2019 until January 2022, for a fabricated security case. Shaath has closely linked the change in Egypt with the boycott of Israel. He clearly supported the Egyptian struggle for democracy and justice, linking this Egyptian freedom issue with the Palestinian freedom through the boycott of Israel.

Another dimension of the censorship linked to the boycott movement is contradictions related to the academic boycott. The problem arises when there is generalisation about Israelis. For example, the Israeli journalist Amira Hass was

asked to leave Birzeit University during an academic conference in 2014. This act shows the shift that occurred after the Second Intifada. The Birzeit Student Council was active in the 1980s in coordinating visits of Jewish Israelis who were in solidarity with the Palestinians and against the occupation. Yet, the same student council supported expelling Hass from the university in 2014 (Giacamen 2014). Additionally, such behaviour misses the point that any liberation movement needs allies in the colonising society, as Mahmoud Mamdani reminds us in relation to the anti-apartheid South African movement (Sadeldeen 2019).

Similar to the difficulties faced by the momentum for BDS in the northern states, this momentum in the Arab region reveals how challenging Israel through boycott activities is linked to the democratic struggle, which leads us to conclusions about the relationship between the boycott and democracy in different regions around the world.

Conclusion: Democracy and the Other

There are three levels that qualify many ruling groups in the Global North as un-democratic, as the case of the boycott of Israel reveals. Firstly, though there are large and growing social forces—as in the case of the UK—that are not established in comparison to the ruling social groups, and that call for a different foreign policy towards Israel (such as the use of boycott), the ruling classes elected through liberal representative democracy generally refuse to take such measures, while engaging in special relations with Israel (though they may have certain objections and take some limited measures against Israeli policies). Secondly, ruling groups in some northern states (such as France, Germany, and the US) bypass a cornerstone principle of liberal democracy, which is freedom of expression, when seeking to symbolically or actually criminalise or ban either the call for the boycott of Israel. Thirdly, these ruling social groups engage in negating the democratic right of another people (the Palestinians, in this case) by denying them the exercise of self-determination.

As Achille Mbembe demonstrated, fighting “democracy” negates the Other as an enemy. This chapter adds to the scope of analysis the global fields where democracy is denied to other peoples. Moreover, authoritarianism in the Arab world is as hostile to its own people’s wishes and to Palestinian liberation as Western liberal democracies are. This Arab authoritarianism, which has been supported for long time by Northern “democracies”, is the other face of liberal democracy.

Of course, democracy is not a black or white case. There is a spectrum representing the quality of democracy. In most of these northern states, there are relatively free elections, rule of the law, freedom of organisation, and a multi-party system, where the executive government held accountable by the

parliament, etc. Yet, can we call a political system democratic if freedom of expression is denied, or if large segments of public opinion—supported by polls and diverse organised bodies, such as syndicates and unions for workers, employees, professionals, students, and city councils—call for boycott while the government takes the opposite direction? This is another case to be added to the list of examples, such as significant public opinion opposing the recent participation of major northern states in the war on Iraq and occupying Iraq and the long opposition to the South African apartheid regime.⁴

In these three cases of Iraq, Palestine, and South Africa, huge crimes were committed by the “democracies” of South Africa and Israel and by the “democracies” of the UK and the US. The apartheid system of South Africa described itself as a democracy for the white South Africans, just as Israel describes itself as democratic and Jewish. Of course, it is different in the UK and US, but they also share dealing with the Others as enemies and denying them democracy. Such northern states can also legalise this discrimination. For the BDS movement, these authorities introduced accusations of anti-Semitism. Antisemitism is still a continuous discrimination problem in Europe, but such authorities also use it as a pretext for other forms of discrimination. The Zionist project is in its core a racist project by white (Jewish) colonisers. This project has tried to negate the Other who is Palestinian and Arab. Global Northern states ally with this Israeli project that negate those Others calling for the boycott of Israel.

In the Westphalian logic of sovereign states, the United States has a national political system insulated from the Other (e.g., states such as Iraq or occupied Palestine) but in the social analysis of world politics, they are closely connected inside global fields through economic, political, military, and human interactions (including war and occupation). This is what the Bourdieusian logic, for example, suggests in discussing global fields outside the borders of states (Bourdieu 1977). The “democratic” US wanted to “liberate” Iraq and bring “democracy” but after occupation, it engaged in the arrangement of a “democratic” system based on fueling sectarian and ethnic divisions, increasing poverty, and strengthening the existence of multiple Others in Iraq. From a Palestinian perspective, it is the world that denied Palestinians their self-determination since the UK colonisation and Balfour Declaration; it is also the Arab states that lost historical Palestine in two wars and lately want to normalise relations with Israel. Hence, it is a global field for Palestine, and the Westphalian logic cannot be the only lens.

If it is understandable that a rich white English man consider the UK or US democratic, then it is also understandable that a Palestinian or Iraqi worker woman who lost her son cannot swallow the meaning of the UK democracy that determines her fate, in a bloody way, without her opinion. It is the

⁴ The UK government responded late, in the 1980s, to impose punitive measures against the apartheid regime in South Africa.

position of individuals that determine their position-taking, as Pierre Bourdieu suggests. And when combining the previous concerns related to negating the Others in northern democracies with aspects such as low voting percentages, non-commitment to candidates' electoral programs, the funding of electoral campaigns, the public relations industry, the monopolising of the media in the hands of few, and increased inequality, then the classification of democracy becomes questionable.

It is clear, as in the discussed cases, that there is a wide societal dynamic supporting the boycott of Israel in the Global North, but the reply by major states is to suppress the right to boycott. It is the freedom of expression in constitutions of these Global North states, combined with the insistence of social forces on protecting democracy, that is still protecting aspects of democracy. Diverse European and American courts have insisted, until now, that the call to boycott Israel is part of the freedom of expression. The latest case in this regard was when the European Court of Human Rights asserted in June 2020 the right of French activists to call for the boycott of Israel after the French courts, including the highest court, criminalised this right.

In the Global South, as the case of some Arab states reveal in relation to the boycott of Israel, dictatorships tend to normalise with Israel and/or oppress peoples who want to engage in resisting the Israeli colonising project. The case of the wide Jordanian coalition resisting importation of natural gas from Israel by the Jordanian regime reveals that, without democracy, the official Jordanian policy remains unchanged. In contrast, when an Arab uprising succeeds in toppling a dictatorship such as in Tunisia, there is more popular dynamic in support for the Palestinian liberation and initiatives to boycott Israel. Yet, the lack of economic freedom and social justice in Tunisia that are replaced by the US and European aid and debts, hinders the advance of the boycott of Israel. Though most Tunisians want the boycott of Israel, their democratic will is obstructed by the lack of economic freedom of the state due to international pressure. Hence, liberal democracy contains within it the obstruction of democracy due to the separation of democracy from equality (against racism), economic freedom of states (especially in the Global South), and other issues, such as social justice. This intersectionality is what protects democracy.

The boycott of Israel is linked with struggles for freedom and justice in the Arab region and around the world. Some boycott circles in the Arab world link Arab struggles for freedom with the boycott of Israel, where also "intersectionality" between different causes is becoming the norm among the global boycott movement. Yet, there are still the opposite circles that link the boycott to authoritarian contexts and censorship.

The major reason for the advance of the boycott movement around the world is related to the cause of freedom, where many freedom seekers adopted the issue of the liberation of Palestine as their own cause. A major slogan

for the BDS movement has been the famous three words “Freedom, Justice, Equality.” Human rights are a major norm for the movement alongside anti-colonial and anti-apartheid norms.

The BDS movement’s response to the un-democratic practices of some northern states has been, firstly, to stress that human rights include the freedom of expression, and the rejection of any sort of racism including anti-semitism and Islamophobia. The movement also raises concerns about racism in Europe and the legacy of European colonialism. As a coordinator for the movement expressed:

At a time when European citizens, inspired by the Black Lives Matter uprising in the US, are challenging the ugly legacy of European colonialism, France, Germany and other EU countries must end their racist repression of human rights defenders campaigning for Palestinian human rights and for an end to Israeli apartheid. (BNC 2020)

Secondly, the BDS movement allied with diverse, less-established social forces in the Global North that in turn pressure their states. The BDS movement allied with Black Lives Matters movement, for example. Hence, the BDS movement is one of the movements that protect democracy in the Global North against the un-democratic tendencies.

In the Arab region, the linkage of issues (or “intersectionality”) related to freedom (i.e., between democratic change, social justice, and the liberation of Palestine) in the Arab region has been explicitly adopted by the BDS National Committee since the beginning of the uprisings in the Arab world, though it has not always been declared as an objective in all the uprisings. The BDS statement back in 2011 said:

The Arab Spring of freedom, democracy and social justice that is blossoming across the region was itself largely inspired by decades of Palestinian popular resistance against Israel’s settler colonialism, occupation and apartheid. This Arab Spring is today, in turn, inspiring Palestinian mass peaceful protests, after demonstrating that when the threshold of fear is crossed by enough committed activists and when there is a clear vision of a future free of oppression and subjugation any seemingly invincible oppressor can be overcome. (BNC 2011)

Another example of this issue interlinkages is what the co-founder of the BDS movement Omar Barghouti expressed:

The linking of freedoms and democracy causes- as [Omar] sees- and ending the dependency mechanisms to the West, is organically and dialectically linked to the cause of Palestine. We should not arbitrary separate between these entire issues to the sake of any of them. The Palestinian people will not achieve his rights and freedom from the Zionist settler colonization as long as the Arab peoples are stoned because of the distress of bred, dignity and avoiding the evilness of the oppressive *mukhabarat* [intelligence agency]. (Elayyan 2011)

The chapter demonstrates how liberal democracy can be shallow on major issues, especially those related to foreign policy in Palestine, which should be added to the previous cases of Iraq and South Africa. The BDS movement is part of global social movements that contribute to the protection of democracy, though the movement contains some contradictions in this regard as well. The case of the BDS reveals that democracy is conditioned by the democratic right of the Other, as well as by accompanying norms such as equality and social justice.

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Chapter Twenty-Four

Solidarities from Within the Zionist System: Assessing Present-day Israeli Activism for Palestinian Rights

Alice Baroni

The chapter provides a critical assessment of Jewish-Israeli civil society groups for Palestinian rights as of today and is based on extensive fieldwork in Isra-el-Palestine over the years 2018-2019. After having reviewed the groups' main features as compared to the past, the chapter asks what their action can tell us about the possibility of building solidarity and critique from within the institutional and discursive boundaries of the system they set out to redress. The chapter unravels the paradoxes and contradictions of Jewish-Israeli activism in its relationships to Palestinians, and eventually finds in the grey zone of impure political struggles some bases for a constructive rethinking of counter-hegemonic solidarity praxis in asymmetrical conditions.

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This chapter was written in December 2020.*



The Great March of Return

2019 | Light jet print mounted on matt diasec. 200 cm diameter. In the museum collection of The Arab World Institute in Paris, and the Contemporary Art Platform, Kuwait.

Steve Sabella, <https://stevesabella.space/pages/the-great-march-of-return>

Introduction

Support for Palestinian rights from within Jewish-Israeli society has existed since the outset of the Israeli enterprise, with forms and framings that span widely across the spectrum of critique to Zionism (Greenstein 2014; Ehrlich 2003).¹ Yet, far from achieving even the mildest objectives of socio-political change, Jewish-Israeli activists have been receding both in numbers and in the extent of their critique. With a few hundred people at most able to mobilise across the whole country, even activists perceive themselves as “too few to mention.”² Long gone are the days when thousands of Israelis would march in the streets of Tel Aviv demanding an end to the occupation and to illegal settlements, confident they could create a milder version of Zionism. Even longer, the days when a tiny organisation of Israelis and Palestinians dared to expose a society inebriated by the victory of the 1967 war to the grim reality that that war was fought from the wrong side of history, that the entire Israeli enterprise was of a colonial nature, and that the only solution was to unite with Palestinians in a revolutionary struggle against Zionism.

Today, all this seems unthinkable. Since the Second Intifada, the barycenter of Israeli politics has shifted more and more to the right, and with it its social consensus. The consolidation in power of an alliance of right-wing nationalists, religious Zionists, and settler organisations has exacerbated the racist elements embryonically present in Zionist ideology, opening the door to the normalisation of the most aggressive attitudes towards the Palestinian issue (Jamal 2018; ICG 2009; Ram 2003; Pappé 2003). In everyday common sense, settlements are just ‘neighbourhoods,’ the Green Line is erased from the maps, and even ‘occupation’ has become a contested word. The political debate has shifted from considering the perks and pitfalls of ending the occupation to choosing between occupation and outright annexation, and in the 2019 elections left-leaning voters found themselves hoping for the victory of a hawkish former general. Liberal Zionist positions, which once occupied the centre of the socio-political spectrum, are perceived to be as treacherous and alien as anti-Zionist ones, and ‘leftist’ has become an insult. In this situation, those Israelis who publicly uphold any alternative solution to the current occupation-versus-annexation deadlock face a number of obstacles. Politically

¹ Throughout the chapter, I use the terms ‘Jewish-Israelis’ and ‘Israelis’ interchangeably to refer to those who belong to the Jewish majority in Israel. While the hyphenated term is more correct because it accounts for the fact that Israeli society is composed by many nationalities, among which a Palestinian minority, the use of ‘Israeli’ only is widely accepted because it reflects the fact that Jewish-Israelis are the sole referents of Israeli (ethno)democratic laws, collective traditions, myths, and narratives. Similarly, when I refer to ‘Palestinians’ I include in the term indiscriminately Palestinian citizens of Israel, residents of Jerusalem, and inhabitants of the West Bank and Gaza, as well as Palestinian refugees in other countries, to account for the fact that despite different juridical statuses, they share the same historical and cultural relation to the land of historic Palestine, and are subjected in Israel to the same framework of denial of rights and discriminatory perceptions.

² Interview with Boycott from Within activist (Tel Aviv, March 2019).

delegitimised as a 'fifth column' of foreign pro-Palestinian interests, they have a hard time finding political allies and an audience to mobilise. Legally obstructed by a set of laws designed to constrain their possibility for action and critique, they struggle to reach even minimal goals. Socially rejected, and often violently so, due to public shaming campaigns orchestrated by mainstream media and right-wing organisations, they strive to sustain their engagement, and the few who succeed are subject to isolation and burn-out (HRDF 2019; Zonszein 2018).³

This situation demands asking what is left, today, of the Israeli 'Left' in Jewish-Israeli civil society. Are there still people daring to propose alternative visions for the future of Israel-Palestine, and what do these alternatives look like? How do activists adapt their discourses and strategies to survive and find an audience for their claims? Does this audience still comprise the Israeli public, or has it been replaced by an international one? Is anti-Zionism still an option, or has it been replaced by the far fuzzier framework of 'post-Zionism'? And, most importantly, do these activists still represent a relevant ally for their Palestinian counterparts – if they ever have?

Based on six months of fieldwork in Israel-Palestine (2018-2019) and on the analysis of relevant documents and news items (2017-2020), this chapter provides a critical assessment of the full spectrum of Jewish-Israeli activism in support for Palestinian rights as of today. By reviewing the political stances and strategies adopted by different groups, the chapter seeks to clarify how such groups construct their critique as compared to the past, how they select and translate Palestinian demands in the process, and whether they contribute to or hinder structural political change within the Israeli system.

The theoretical discussion hinges upon two distinct analytical issues, both of which are exemplified by Jewish-Israeli activism and its relationship to Palestinians. The first is the issue of how to effectively challenge hegemonic ideas and practices in society. From Gramsci onwards, studies of hegemony and counter-hegemony have distinguished between two different modes of critique: one that operates 'within' hegemony, with the aim of achieving incremental changes through an engagement with the discursive and institutional tools of the status quo; and another one that operates 'outside' hegemony, in the belief that a total break with the existing order is the only way to achieve structural change (Gramsci 1975; Mouffe 2013; Maney, Woherle, and Coy 2005).⁴ Each mode is associated with specific advantages and risks that make some combination of the two at once very common and inherently

³ Organisations such as NGO Monitor, Academia Monitor, Im Tirzu, and Regavim generally operate by delegitimising anti-occupation activists in the public arena by framing their activities as violent and opposed to Israeli interests.

⁴ The two modes of hegemonic critique have been referred to in various ways, such as 'reform' vs. 'revolution,' 'engagement' vs. 'withdrawal' (Mouffe 2013), 'critique within' vs. 'withdrawal from' (Weizman 2013), and 'harness' vs. 'challenge' (Maney, Woherle, and Coy 2005).

contradictory. In particular, critique occurring ‘within’ hegemony is generally perceived as more effective because it is more easily intelligible to its audience of reference, and capable of being channelled through the existing institutional and legal frameworks. For the same reasons, however, it is also subject to the risk of co-optation, leading to what Gramsci has termed a “passive revolution”: small-scale demands for change can be incorporated in the system, which neutralises their subversive potential and uses them to reconfirm its authority and legitimacy (Gramsci 1975; Mouffe 1979). In contrast, critique ‘outside’ hegemony has better chances of maintaining its radical potential, but at the same time struggles to realise it due to the fact of being placed at the margins of political and social arenas, when not entirely outside. The latter is especially the case in “strengthened hegemonies” like the Israeli one, in which consent to hegemonic ideas and practices is deeply internalised and pervasive across society (Maney, Woherle, and Coy 2005; Weizman 2013).

The second analytical issue is that of solidarity action – which by definition is targeted at an oppressed group different from one’s own (Bartky 2002, 163-164; Passy 2001, 6-7) – and of how to deal with it when it comes not just from a position of privilege, as is often the case, but from within the very system that perpetrates the oppression.⁵ This particular condition entails, by its nature, specific advantages as well as inherent problems, and for this it has been defined as “paradoxical” (Scholz 2008, 151-187). By virtue of being members of the oppressive society, the ‘privileged’ have access to its institutions and common sense, which they can use as tools in the struggle for the ‘oppressed.’ At the same time, however, the very fact of relying on an asymmetry of power risks perpetuating it in the dynamics of solidarity action (Koopman 2011; Coy 2011; Marx and Useem 1971). Moreover, for the fact of being directed at groups other than one’s own, solidarity action entails the risks of romanticising one’s effort while objectifying the political subjects at which the action is targeted, de-politicising their demands (Passy and Giugni 2001; Keck and Sikkink 1998).

Scholarship on Jewish-Israeli activism for Palestinian rights has often shunned a full engagement with these issues, praising activists’ efforts to persist in particularly hostile conditions while overlooking its inherent problems (see, e.g., Cohen 2019; Lamarche 2013). In contrast, studies that have put these issues at their core – such as critical and settler colonial perspectives – have tended to entirely dismiss as complicit any action that does not presuppose a diagnosis of the Israeli-Palestinian issue as colonial (see, e.g., Turner 2015; Svirsky 2012; Hussein 2011; Omer 2013; Todorova 2014). This chapter eschews both positions and seeks to dissect the features and dynamics of Jewish-Israeli activism as one where a certain “complicity” with the hegemonic system is to

⁵ This issue has been treated also under the rubric of “majority involvement in minority movements” (Marx and Useem 1971; Buhlungu 2006) and has been addressed across feminist and decolonial approaches (see, e.g., Scholz 2008; Bartky 2002; Alcoff 1998; Bailey 1998; hooks 1990; Memmi 1957).

some extent unavoidable (Wright 2018). Such a focus does not imply an apologetic stance: the inherent problems and historical failures of Israeli solidarity are at the core of the analysis. And yet, it is precisely in some instances of these compromised struggles that the chapter finds some bases for rethinking the possibilities of radical critique 'from within.' In this sense, and notwithstanding the specificities of the case at hand, this study of Jewish-Israeli activism contributes to a deeper understanding of dynamics of solidarity and resistance, and one that links them up with the possibility of emergence of novel counter-hegemonic praxes in far-from-perfect conditions.

The first section maps the spectrum of present-day Jewish-Israeli activism. After having clarified the reasons for including a wide diversity of groups in the analysis, the section classifies them according to their political framings, forms of organisation, and modes of action. The second section takes a genealogical perspective to identify the main trajectories that have characterised the evolution of Jewish-Israeli activism over time in relation to the changes happening in Israeli society and in the relationship with Palestinians. The conclusive section takes stock of the limitations of present-day Jewish-Israeli activism as those typical of forms of critique and solidarity happening 'from within' oppressive systems, and assesses their potential for contributing to structural change in the direction of more equality.

Mapping the field of Jewish-Israeli activism

Mapping the field of Jewish-Israeli activism for Palestinian rights is complex due to the wide diversity of organisational forms, modes of action, and political framings. Instead of focusing on a specific portion of this field, the present analysis considers support for Palestinian rights in its broadest sense: from punctual pragmatic interventions to broad political projects, from actions that are driven by a genuine concern for empowering Palestinians to others whose main concern is to preserve a Jewish Israeli state. The reason for including such seemingly incompatible types of activism is twofold.

The first reason has to do with the fact that Palestinian demands for rights are different and, as such, entail different responses. While the general direction is the achievement of full rights (social, political, civil, economic) in the whole territory of Israel-Palestine, the emphasis on which ones to achieve first varies depending on a number of factors. Different Palestinian legal statuses (second-class citizens of Israel, residents of Jerusalem, occupied subjects of the West Bank, ghettoised inhabitants of Gaza, or refugees in the diaspora) entail different degrees of discrimination and structural violence. As such, priorities vary between the achievement of short-term or long-term objectives and between the achievement of better integration within Israel or of Palestinian independence (or of any other political arrangement in between). Finally,

Palestinian activists have diverging ideas on what role Israelis should (or should not) play in their struggle, and of how partnerships should be carried out. This divisiveness engenders a situation in which acting in support of Palestinian rights can mean many different things, which need to be considered in their entirety in order to reconstruct the full spectrum of critique within Israeli society.

The second reason is that considering the full spectrum of Israeli activism is the only way that allows accounting for the interconnections between activists and groups that may appear very distant in terms of their political positions and forms of action. The small number of people involved and the generally short life cycle of organisations and collectives make it so that groups are tied together by genealogical links and by members who, floating across different groups, carry with them ideas and experiences learned on other terrains. Taking this aspect into account is crucial because, as we will see in the rest of the chapter, it is one of the most salient features of current Jewish-Israeli activism.

Figure 1. Map of present-day Israeli groups advocating for Palestinian rights.

Jewish-Israeli activism for Palestinian rights									
Institutional means:									
Monitoring and legal action		ACRI	MW	Gisha	HaMoked	PCATI	NCF	Yesh Din	HRDF
Research, info and advocacy	(Molad)		BTS	KN	ES	B'Tselem	WP	+972	ActiveStills
Dialogue and understanding	(Roots)		CFP			Ir Amim			Zochrot
Marches and campaigns	(CIS) (WWP)	PN		ALFA		Standing Together	CWP		ODSC
Humanitarian support		R2R		PHRI		Born Equal	Psychoactive		
Questioning the military		Yesh Gvul				New Profile	Mesavrot		
Direct action means:	Lib-Zionist framing								Anti-Zionist framing
Physical interposition				RHR	ED	ATL	To'ayush	FJ	ISM
Symbolic interposition		Tag Meir				WIB	AFE		De-Colonizer RS
BDS									BFW (Self-exiled activists)

Formal groups; *informal groups*; (groups excluded from the analysis)

Source: **author**.

The remainder of the section maps the field of Israeli activism along three dimensions: the framing of critique (from liberal Zionist to anti-Zionist), the forms of organisation (formal or informal), and the modes of action (institutional or direct). *Figure 1* offers a graphic representation of the field. As the section will show, while providing useful classification tools, such categories also prove limiting in accounting for the complexities of the reality on the

ground. As such, they will be problematised and critically engaged along the way, as well as in the coming section.⁶

The framing of critique: Liberal Zionism, anti-Zionism... and the rest

If most of the activists considered here are perceived as 'radical' or 'pro-Palestinian' in current Israeli society, the extent of their critique of the status quo varies widely, and with it the solution they envisage and the Palestinian demands they choose to support. They are typically classified, both in the literature and in the self-identification of activists, according to their positioning towards Zionism, the hegemonic political ideology in Israel and that which underlies the structural relations with Palestinians at the political and societal level (Sternhell 1999; Kimmerling 2001; Yiftachel 2006; Natanel 2016). According to this classification, Israeli activism for Palestinian rights is divided into two main camps: a liberal Zionist one, also termed the 'peace' camp, and an anti-Zionist one, also termed the 'decolonization' camp (Turner 2015; Weizman 2013; Svirsky 2012; Honig-Parnass 2011; Todorova 2014). As the names suggest, the two camps are respectively associated with critiques 'within' hegemony (which attempt to ameliorate it) and critiques 'outside' hegemony (which opt for its outright rejection).

Liberal-Zionist activism is exemplified by NGOs such as Peace Now, Combatants for Peace, Breaking the Silence, Yesh Gvul, the Association for Civil Rights in Israel, Tag Meir, and Machsom Watch. These groups generally blame the expansionist and aggressive versions of Zionism for the current situation of injustice, and advocate for Israel's retreat to its 1967 borders and for the maintenance within them of a 'Jewish democracy.' As such, liberal Zionist groups mostly focus their work against the occupation and settlement enterprise and for the protection of Palestinian human rights within Israel.⁷ Liberal Zionist positions represent the majority, in terms of numbers, of Jewish-Israeli activism. While not spared from political attacks and smear campaigns from right-wing groups and mainstream media, they enjoy some visibility in

⁶ Note that the groups cited do not aim to offer an exhaustive picture of present-day Israeli activist groups, but rather to illustrate the different forms, strategies, and political visions present in current Israeli activism. To this aim, the discussion includes also groups that count Palestinians among their members (although their views will not be examined), groups that treat Palestinian rights along with other rights in Israeli society (e.g. minority rights, socio-economic rights, environmental rights), and groups that have an international and Jewish-international membership along with an Israeli one. The most notable of these groups, the collective All That's Left, is composed of self-identified "diaspora Jews," mostly coming from the US and Europe, who came to Israel for various reasons and ended up staying several years or even permanently, sometimes undertaking Israeli citizenship.

⁷ It is worth noting that there are also groups that, while defining themselves as 'pro-peace,' fail to oppose or even name the occupation and the settlement enterprise (Women Wage Peace), groups that explicitly defend them (Friends of Roots), and groups that frame their being against the occupation solely in terms of a need to secure the Israeli state (Commanders for Israeli Security, Molad). Because Palestinians are such a marginal factor in their actions, these groups are not included in the present analysis. They are nonetheless represented, in parentheses, in Figure 1 to give an idea of the full extent of the 'peace' camp in Israeli society.

Israeli political debate and can still mobilise, or at least elicit the sympathy of, a portion of Israeli society. At the same time, however, they are harshly criticised by those on their left for making overly moderate demands that end up reinforcing rather than challenging Zionist discourse and the structural system of injustices towards Palestinians. For example, the critique goes, by placing Israeli blame on the occupation and the settlers, they end up absolving the state and society on issues at the heart of Palestinian demands, such as the acknowledgment of the Nakba, the right of return of refugees, and the achievement of full equality within Israeli society—issues that are never addressed by these groups because they would jeopardise the Jewish character of the state. Moreover, by selectively opposing only the most aggressive forms of military violence, they implicitly sanction as legitimate all those forms of violence that are considered defensive.⁸ Finally, by adopting a vocabulary of ‘democracy’ with reference to Israel and of ‘conflict’ with reference to the structural relationship with Palestinians, they convey an image of the situation that conceals the inherently ‘ethnocratic’ character of the Jewish state (Yiftachel 2006) and the structural asymmetry between a colonial power and a colonised people (Turner 2015; Honig-Parnass 2011; Younis 2019).⁹ Indeed, the framing of these groups often reveals that their main concern is not for Palestinian rights *per se* but for the survival of Israel as a Jewish state, which requires keeping an appearance of democracy. This is why, in the opinion of some critics, these groups even represent the main ‘enemy’ in the struggle for Palestinian rights, a far more insidious one than settlers and right-wing extremists.¹⁰

In contrast, anti-Zionist activism fully opposes Zionism as an inherently racist and discriminatory project. The Israeli occupation and settlement of the West Bank and the internal discrimination towards Palestinians are not seen as an antithesis to Zionism, but as a logical step in the creation of a purified Jewish state on the whole of ‘Greater Israel.’ The Israeli-Palestinian issue is framed not as a conflict between two rival nationalisms, but as a settler colonial situation that created the present regime of apartheid. While there is no agreement on a single best solution to overcome it, the spectrum of Palestinian rights considered is much broader: next to the end of occupation and settlement, anti-Zionist groups envisage the achievement of full political and civil equality, support Palestinian self-determination, and the right of return of refugees. Activists reject any identification with Zionism (and sometimes with the state of Israel itself, preferring to call themselves ‘Palestinian Jews’), and envision

⁸ For example, groups such as Yesh Gvul, Breaking the Silence, and Machsom Watch frame their action as against “wars of choice,” the “unnecessary oppression” of Palestinians in the territories, and the “inhumane conditions” at the checkpoints, but advocate for a strong military and for the maintenance of control over Palestinian rights (see respective websites).

⁹ Most of the liberal-Zionist groups mentioned use the term ‘democracy’ in reference to Israel, while Combatants for Peace and Tag Meir in particular emphasise the symmetry of a situation of conflict in which the two rival nationalities are involved and co-responsible for the deterioration of the situation (see respective websites).

¹⁰ Interview with Boycott from Within activist (Jaffa, July 2018).

a process of decolonisation ('de-Zionisation') of Israeli society and ethos.¹¹ Unsurprisingly, anti-Zionist groups represent a small minority of Jewish-Israeli activism, exemplified by informal collectives such as Return Solidarity, Boycott from Within, the One Democratic State Campaign, the photographers' collective ActiveStills, and NGOs such as Zochrot and De-Coloniser. Counter-hegemonic *par excellence*, these groups are in a better position to elicit the respect of their Palestinian counterparts, but are largely placed outside the margins of acceptable political discourse in Israel. Consequently, their actions rarely mobilise more than a few dozen participants and are ignored or viciously attacked by mainstream media and political actors in Israel.

Now, the distinction between liberal Zionist and anti-Zionist positions is a helpful theoretical tool insofar as it allows shedding light on the respective problems of critiques 'within' or 'outside' hegemony. However, the neat demarcation between two opposite ideological camps is too simplistic to allow for a full understanding of the reality of Israeli activism. Next to the conscious and explicit adherence to certain ideologies, other factors need to be considered that make liberal Zionism and anti-Zionism less a binary categorisation and more the extremes of a continuum. To begin with, participation in, or rejection of, hegemonic structures involve not just political statements but all the micro-practices of political and everyday life; for this reason, 'pure' positions are unlikely, even at the two extremes. In a society such as the Israeli one, where every quotidian act is either directly or indirectly associated with dispossession and denial of rights over Palestinians, avoiding any participation in the structures of Zionism is impossible. However many efforts activists make to reject their duties and privileges as Jewish nationals, they will still embody those privileges and re-enact Zionism through their very existence.¹² Following this reasoning, the only option left in order to be completely coherent is leaving the country and relinquishing Israeli citizenship in an act of protest—something that, indeed, many activists have done in the past decade.¹³ In contrast, sometimes activists who still define themselves as Zionists – because they retain an emotional and identity attachment to what Zionism means to them – find themselves fighting daily to break physical and intersectional barriers to full equality, thus *de facto* eroding from within the hierarchies and antagonisms established by Zionism.¹⁴

Besides the fact that each extreme involves greater complexities than the term suggests, there is also the fact that a number of individuals and groups

¹¹ Interviews with activists (Jaffa, July 2018; Jerusalem, May and November 2019; Beer Sheva, May 2019; Tel Aviv, May 2019).

¹² According to one activist, this is the greater strength of the Zionist project: the fact that it can incorporate its antithesis, thus making being an "anti-Zionist Israeli a contradiction in terms" (interview with former member of HaMoked, Jerusalem, November 2019). For an exploration into the dilemmas of anti-Zionist Israeli activists at a personal level see, e.g., Lamarche (2013) and Wright (2018).

¹³ Self-exiled activists that continue their activism from abroad are included in Figure 1 at the far end of the anti-Zionist spectrum, but in parentheses because they no longer belong to Jewish-Israeli society.

¹⁴ Participant observation of Ta'ayush activities (South Hebron Hills, March–December 2019).

– indeed, the majority – stand in between these two extremes, preferring not to undertake a clear position towards Zionism. Many of them frame their actions around moral and humanist values rather than around geopolitical analyses.¹⁵ Often, political framings are relegated to the background and priority is given to be active and present on the ground, however needed.¹⁶ This lack of explicit engagement with Zionism is often dismissed, from anti-Zionist perspectives, as a form of docility towards or even outright complicity with the system. While this is partly true, this lack of engagement arguably represents the single most defining feature of present Jewish-Israeli activism, and as such demands a deeper examination of the reasons actors give for it. Some of these reasons are tactical. When it comes to NGOs, the need to be able to operate without being ostracised at the legal level sometimes has the effect of taming the level of critique, as will be more thoroughly explained throughout the chapter.¹⁷ The deteriorating political situation additionally affects tactical choices also among informal collectives that can usually afford more radical critiques. With the need for action at its highest and the number of people willing to act at its lowest, many feel overwhelmed by responsibility and refuse to “spend time and energy in endless political talks.”¹⁸ Moreover, in such a situation, being able to mobilise people is of paramount importance: choosing a vocabulary of generic human rights and opposition to violence is presented as a rational choice insofar as it can mobilise those who do not identify with specific or radical political stances.¹⁹

Other reasons have to do with activists’ identification with political views and analyses. Anti-imperialist political worldviews prominent in the movements of the 1960s and 1970s have lost their grasp, and in face of a worsening political scenario many activists have lost hope in the possibility of radical change. To remain active despite of these circumstances, activists have thus turned to focusing on small acts that have higher chances of success in the short term.²⁰ Secondly, it is important to keep in mind that in Israeli society embracing anti-Zionism, and the analytical framework of settler colonialism it presupposes, is not only a matter of political ideology but also involves deep identity issues. Accepting that Israel is a settler colonial state, something which has become current in political analyses and movements for Palestinian

¹⁵ Interviews with members of Ta’ayush (Jerusalem, November 2019) and Engaged Dharma (Jerusalem, December 2019); participant observation of demonstrations and talks organised by Ir Amim and Free Jerusalem (November and December 2019); stated aims of Physicians for Human Rights Israel (website, ‘About’), Human Rights Defenders Fund (HRDF, 2019), and the Imbala collective (website, ‘Manifesto’).

¹⁶ Interview with members of Ta’ayush (Jerusalem, May and November 2019), Ir Amim (Jerusalem, November and December 2019), and Free Jerusalem (Jerusalem, November and December 2019).

¹⁷ Interview with Emek Shaveh member (Jerusalem, May 2019) and with Kerem Navot member (Jerusalem, July 2018).

¹⁸ Interview with Ir Amim member (Jerusalem, December 2019).

¹⁹ Interviews with member of Free Jerusalem (Jerusalem, November 2019) and Engaged Dharma (Jerusalem, December 2019).

²⁰ Interviews with former member of Matzpen (Jerusalem, November 2019) and with member of Ta’ayush (Jerusalem, May 2019).

rights worldwide, entails Jewish-Israelis accepting that they are, in the present, 'the coloniser.'²¹ This leaves those who want to act for justice in the 'impossible' existential position identified long ago by Memmi (1957): that of having to disown the society in which they were born and accept to be marginal if not alien to the one they acknowledge instead. This is made all the more difficult by the fact that Zionism is not only a political ideology, but a powerful collective identity in which everyone is socialised, and which ties together feelings of victimisation and trauma with a promise of safety and rebirth in the (Jewish) state of Israel (Natanel 2016).

Torn between a liberal Zionism that has disattended all hopes for change, and an anti-Zionism that would leave them 'orphaned' from any alternative system of meaning (Lamarche 2013, 115), many Israelis choose to suspend their self-definition in relation to Zionism. When confronted with the question, some choose the term 'non-Zionist,' others 'post-Zionist,' a form of self-identification increasingly common among Israeli activists. Such terms generally combine the acknowledgment of the legitimacy of Zionism as a historical project as long as Jews were faced with existential threats, and the realisation that the present situation requires redefining Jewish relations with Israel in a way that can allow for the creation of a just society.²² In this sense post-Zionism, far from identifying a clear challenge to Zionism (Nimni 2003), lumps together a host of different stances that have in common a liminal position. Such a position entails, in the words of Edward Said, a "profound contradiction, bordering on schizophrenia"—for, having established the colonial and undemocratic character of Israel, it is nonetheless reluctant to draw the inevitable consequences and reject Zionism entirely (Said 2003, 200). As such, it represents only a step in the process of re-articulating the triad Israeliness-Jewishness-Zionism, and one that can lead in many possible directions.

The organisational forms of solidarity: NGOs and grassroots collectives

The term 'activist' is used in this chapter, and consistent with my interlocutors' self-perceptions, to refer to people who engage in solidarity in very different forms: voluntary participants of grassroots movements and campaigns, as the term usually indicates, but also members (paid or not) of NGOs and other formally registered associations. Social movement literature associates each of these forms with different types of engagement with the institutions and prevalent discourses in which movements occur, types that once again fit with the distinction between 'within' and 'outside' modes of hegemonic critique (Della Porta and Diani 2006; Gamson 1990; McCarthy and

²¹ Interviews with member of Kerem Navot (Jerusalem, July 2018) and with former member of Tarabut (Tel Aviv, December 2019).

²² Interview with members of All that's Left (Jerusalem, December 2019) and Ta'ayush (Jerusalem, May 2019).

Zald 1987; Skocpol 2003; Lindgren 1987). In particular, formal groups, by virtue of their regulated links with state authorities and funding organisations, rely on stable and relatively large economic flows to channel their demands via the political and legal tools offered by the state, in a way that arguably leads to increased effectiveness in achieving their objectives. At the same time, dependency on funding mechanisms and the need to look for political opportunities within state-provided channels can lead them to opt for less confrontational critiques, in a way that potentially ‘tames’ the radical demands of their bases (Piven and Cloward 1977; Kriesi 1996). In contrast, informal groups (who are not accountable to their funders or the state, but just to their members) can operate with less concern for the perceived acceptability of their claims and for the legality of their means. As such, they are usually seen as able to provide more radical forms of critique to the status quo. In turn, their loose structures and limited resources, as well as the perceived radicality of their claims, can reduce informal groups’ capacities to generate political impact (Della Porta and Diani 2006).

This distinction holds true for much Israeli activism for Palestinian rights. The largest and most famous NGOs, such as Peace Now, Combatants for Peace, Breaking the Silence, and B’Tselem, have traditionally settled on critiques that avoid challenging the Zionist ‘golden standards’ (i.e., Israel as a Jewish State, 1967 borders, Israeli-Palestinian issue as one of conflict between competing nationalisms). The many organisations acting pre-eminently on legal grounds, such as Yesh Din, HaMoked, Gisha, and Emek Shaveh, prioritise their ability to get funding and succeed in legal proceedings, and try their best to avoid giving the state reasons to prosecute them.²³ If we add the fact that a set of recent laws further limited the space for action of left-wing NGOs,²⁴ then it is not surprising to see that, in the present context, radical critiques of the status quo are more likely to come from grassroots collectives. The most famous of these are probably Anarchists Against The Wall (AATW) – which has been the subject of many an academic study and is now disbanded (Gordon 2010; Gordon and Grietzer 2013; Weizman 2013, 2017; Todorova 2014, 2019) – and Ta’ayush, born around the same time during the Second Intifada and still active. Younger collectives such as Return Solidarity, Free Jerusalem, and Boycott from Within, also defy the discursive and legal boundaries set by the Israeli

²³ Interview with members of Yesh Din and Emek Shaveh (Jerusalem, April 2019).

²⁴ Examples include the so called ‘NGO law,’ which compels NGOs that receive more than 50 percent of their funding from foreign governments to disclose the fact publicly and visibly (yet, the law does not apply to right-wing groups for alleged reasons of security); the ‘anti-boycott law,’ which criminalises Israeli citizens who openly support the boycott of Israeli products; the ‘Nakba law,’ which forbids commemorations of the Nakba if alongside those of Israeli Independence Day; and a number of laws targeting specific organisations, such as the so called ‘Breaking the Silence Law’ (aimed at preventing the organisation from speaking in schools), and the ‘B’Tselem Law’ (forbidding citizens from doing their national service with the organisation—proposed but not passed). For a full list of the laws and their *iter*, see ACRI website.

state by illegally crossing borders, confronting the sacralised institution of the military, and advancing unpopular demands for full equality.

Yet, some groups also exist that reverse the dichotomy. The NGO Zochrot, for example, is notorious for having explicitly challenged the most important taboos of Zionism over its years of operation. For many years, it has critiqued the Zionist narrative that portrays 'Palestine before Israel' as an uninhabited desert, informing the public of the flourishing cities and villages that were destroyed and replaced by Israeli settlements. More recently, it has challenged the Zionist dogma of a Jewish society by bringing into public debate the right of return of Palestinian refugees, and its possible practical implementations.²⁵

Further complexifying the supposed divide between 'moderate' NGOs and 'radical' grassroots collectives is the fact that both entities are quite enmeshed in the practice of Israeli activism. Moreover, the present scenario of direct attack by the state on left-wing NGOs has engendered a mix of responses, not all of which are going in the direction of taming their critique. These aspects will be further explored in this chapter's second section.

The modalities of activism: Institutional and direct actions

All of these groups carry out their support for Palestinian rights through a variety of means, which can be classified following the distinction between institutional and direct actions (Benjamin 2003; Carter 1973). Such classification overlaps to some extent with the distinction above between formal and informal groups, insofar as formal groups tend by nature to use pre-eminently institutional means, and informal ones to resort to direct forms of action. Although this distinction is also blurred in practice by the fact that solidarity on the ground usually involves a combination of types, it is nonetheless useful for identifying the different kinds of privilege Israelis mobilise in their support to Palestinian demands.

Indeed, all acts of solidarity involve a mix between political "claim-making" and "pragmatic" assistance (Giugni 2001, 236; Farmer 2005, 146) insofar as they combine the provision of goods (whether material or immaterial) that respond to the immediate needs of the targeted population, while simultaneously grounding such provision in a critique of the system that generates those needs (Passy 2001, 7; Scholz 2006, 194). Where acts of solidarity differ is in the type of channels they mobilise and in what type of privilege they put to use in doing so. Institutional actions seek to achieve change by appealing to institutions such as the parliament, the courts, the army, or international bodies, such

²⁵ Zochrot website; participant observations to Zochrot activities (Tel Aviv, March 2019, May 2019, November 2019); interviews with Zochrot members (Jerusalem, July 2018; Tel Aviv, November 2019).

as the United Nations.²⁶ Direct actions, in contrast, seek change directly through the very action they carry out (e.g., the various types of boycott). Direct action, in other words, is “prefigurative”: “what is desired must also be involved in the method of reaching that aim” (Benjamin 2003, 20).

In the case at hand, institutional methods rely on the privileged access to state institutions (courts, universities, media, etc.) and infrastructure (medical facilities, roads, checkpoints, etc.) Israeli citizens of Jewish nationality have, either by law or *de facto*, compared to Palestinians living in Israel and, to a greater extent, in the West Bank and Gaza. Instead, direct action methods exploit the increased intrinsic value ascribed to Jewish-Israeli subjectivities as “bodies that count” or “grievable bodies,” in contrast to dehumanised, and therefore “ungrievable,” Palestinian bodies (Hammami 2016; see also Lentin 2016; Lloyd 2012; Shalhoub-Kevorkian 2014).²⁷ This embodied privilege has a specifically *bodily* element and a more *symbolic* one, each differently emphasised in different types of actions. The former is emphasised in actions that draw their effectiveness from the physical presence of Jewish-Israelis next to Palestinians, be it in confrontational circumstances (such as evictions, arrests, and demonstrations) or daily activities (such as harvesting, shepherding, or walking to school) that become defiant in the context of Israeli settler colonialism. In these circumstances, the mere presence of Israeli civilians works as a deterrent to the violence of the police and the army because “activists are intelligible to soldiers: they share the same ontological ground and therefore have shared normative scripts. Activists invoke this shared ground in their interactions with soldiers who are then forced to affirm those norms – a process of reminding and recognising that is impossible for Palestinians to invoke” (Hammami 2016, 177). The embodied privilege of Jewish-Israelis is also mobilised in a way that exploits the increased visibility and legitimacy they enjoy – both in their local context and at the international level – as Israelis, Jews, and white/Western subjects. Having Israeli activists endorsing Palestinian demands and grievances in public talks and campaigns has also the important effect of undercutting accusations that such claims are anti-Israeli and antisemitic, thus directly rewriting Zionist narratives and ‘chains of equivalence’ (Laclau and Mouffe, 2014).

Let us now turn to briefly reviewing the types of action most commonly employed by Israeli activists (see Figure 1 for a summary). Among institutional methods, the most common is legal action against human rights abuses perpetrated against Palestinians. Legal action usually involves a combination of

²⁶ Protests, marches, and campaigns are included in this category since they are aimed at impressing the electorate, and thus indirectly the parliament.

²⁷ For the original use of the terms ‘bodies that count’ and ‘grievable bodies’ see, respectively, Hyndman (2007) and Butler (2009). For analyses on the Palestinian condition as dehumanized settler colonial subject see, for example, Veracini (2015) and Salamanca et al. (2012). Note that, differently from the previous case, the same reasoning on the use of embodied privilege can be applied to Israeli and international activists.

individual assistance and pressure on the Israeli legal system through petitions and advocacy, and is carried out by a number of individual lawyers and organisations with specific geographic or issue-based foci (e.g., Gisha, HaMoked, the Human Rights Defenders Fund, the Public Committee Against Torture in Israel, and Yesh Din). A second institutional method is the gathering and dissemination of information aimed at raising awareness among Israeli and international publics about the systematic injustices perpetrated against Palestinians (e.g., B'Tselem, Breaking the Silence, Kerem Navot, Emek Shaveh, ActiveStills, +972 Magazine). A third method is the sensibilisation of Israeli publics to Palestinian grievances via means that engage peoples' sensitivities and emotions, such as ceremonies, cultural events, tours, and even phone apps.²⁸ A fourth method is the use of traditional social movement instruments such as marches (e.g., Peace Now, Coalition of Women for Peace) and political campaigns (e.g., the One Democratic State Campaign, A Land For All), which however are less popular than in the past due to their decreasing mobilisation capacity. A fifth method is the provision of humanitarian support and empowerment to Palestinians particularly targeted by the occupation, through medical (e.g., Physicians for Human Rights – Israel), technical (e.g., Road to Recovery), or psychological assistance (e.g., PsychoActive, Born Equal). A last method is to question the Israeli army and support the practice of conscientious objection (e.g., Yesh Gvul, New Profile, Mesarvot). While not strictly of solidarity, this last type of action does open important spaces of criticism towards an institution largely responsible for socialising the Israeli public to the dehumanisation of Palestinians.²⁹

On the direct action side, a method that has become routine in the practice of Israeli activists is accompanying Palestinian civilians in the West Bank (e.g., Ta'ayush, Rabbis for Human Rights, Engaged Dharma, All That's Left, International Solidarity Movement) and East Jerusalem (e.g., Free Jerusalem) throughout political demonstrations or daily activities.³⁰ This practice, which is also referred to as interposition, is aimed at deterring the potential violence of the police, the army, or the settlers, by exploiting the embodied privilege of Israeli Jewish nationals.³¹ A second method, which I term *symbolic* interposition, is the participation of Israelis in various mediated instances in which Palestinians denounce Israeli violations. These actions are aimed at attracting media attention by exploiting the higher legitimacy with which Jewish-Israelis

²⁸ Examples are the Alternative Memorial Day organised by Combatants for Peace, the annual film festival organized by Zochrot, the tours and workshops organized by Zochrot and Ir Amim, the activities organized yearly by De-Colonizer on Israeli Independence Day, and the iNakba app created by Zochrot. Interview with members of Combatants for Peace (Tel Aviv, December 2019), Zochrot (Tel Aviv, November 2019), and De-Colonizer (Tel Aviv, May 2019). See also respective websites and, specifically on the actions of Zochrot and De-Colonizer, Merza-Bronstein and Bronstein-Aparicio (2018). As an example of an action of De-Colonizer on Israeli Independence Day, see De-Colonizer 2016.

²⁹ This was a recurrent element in interviews with activists (2018–2019).

³⁰ See, for e.g., Ta'ayush website and blog, as well as Shulman (2007, 2018).

³¹ On the practice of interposition see also Mahony and Eguren (1997).

are regarded as opposed to Palestinians. They include vigils (e.g., Tag Meir, Women in Black), demonstrations along Palestinian ones (e.g., Return Solidarity), and international talks and conferences (e.g., One Democratic State Campaign).³² A last means of direct action is carrying out (and advocating for) the economic, cultural, and academic boycott of Israel as long as it violates the fundamental rights of Palestinian as defined by the Palestinian Boycott, Divestment, and Sanctions (BDS) Movement (e.g. Boycott from Within).³³ This type of action is uncommon among Israeli activists due to its association with antisemitism in Israeli political discourse, and has been recently criminalised with the so-called 'anti-Boycott law.'³⁴

Trajectories: Past, present, and future of Jewish-Israeli activism

Having mapped the actors and forms of present-day Jewish-Israeli activism, this section takes a genealogical perspective to reflect on the main changes that characterise it compared to the past. The section identifies four interdependent trajectories: *contraction*, *convergence*, *isolation*, and *de-ideologisation*. While highlighting why such developments have been seen as setbacks compared to the more widespread, organised, and unified activism of the past (1960s-1990s), the reflection moves beyond a nostalgic assessment of 'what could have been and yet is not' of Jewish-Israeli activism to also emphasise the potentialities opened for new avenues for change in the present context.

Contraction: From movements to networks

The deterioration of the prospects for a just solution to the Israeli-Palestinian issue in the past two decades has led to the disengagement of large sectors of Israeli society from demanding social and political change. The shift to the right of Israeli politics, and the attacks that have followed on those who support Palestinian rights, have further inhibited Israeli activists' capacity for critical action, in what has been called in mediatic debate a "chilling effect" (HRDF 2019). The result has been a marked contraction in the field of Jewish-Israeli

³² Interviews with members of Women in Black (Jerusalem, November 2019), One Democratic State Campaign (Jerusalem, May 2019) and participant observation of demonstrations organised by Return Solidarity (Gaza border, 3 May 2019). See also respective websites.

³³ See the BDS Movement website and Barghouti (2011, 2014). While partly aimed at redirecting public opinion, this action does not classify as institutional because it seeks change preeminently through the change of habits of individuals, with little reliance on institutions and state authorities (Morrison 2015). Moreover, this action overlaps partially with the previous one insofar as it relies for its impact on the specific symbolic value of Israelis calling for boycotting their own institutions.

³⁴ Opposition to the BDS movement motivated by its alleged antisemitism was manifested in a few interviews, mostly with liberal-Zionist activists (Jerusalem and Tel Aviv, 2019).

activism, in terms of both the number of people involved and the radicality of criticism proposed. There no longer exist big movements able to mobilise thousands of people at a time, as was the case for Peace Now or the mobilisations against the invasion of Lebanon in the 1980s. Anti-Zionist positions, once regrouped in entities such as the Israeli Socialist Organization (Matzpen) and the Alternative Information Center (AIC), are relegated to a minority that lacks an agreement on political frameworks of analysis and proposed solutions. The last campaign able to mobilise thousands of participants was held in the 2010s against Palestinian house evictions in Sheikh Jarrah, but it disintegrated after a few years precisely under the impossibility of reconciling the contradictions between the stances of Palestinians, radical Zionist, and liberal Zionist activists – as we will see more thoroughly in the rest of the section.

In parallel to this contraction, however, recent years have witnessed a proliferation of groups and organisations that sprouted to respond to the ever-increasing problems faced by Palestinians, and to the new challenges faced by Israeli activists and human rights organisations. A new configuration of Jewish-Israeli solidarity has emerged, where the big, all-encompassing movements of the past have been replaced by a network of smaller organisations that coordinate with each other in their actions. New groups are characterised by an increasing specialisation – be it by issue, geographical focus, modes of actions, or political aims. This ‘division of labour’ has allowed the diversification of Jewish-Israeli solidarity strategies, with different groups appealing to different audiences (more or less radical) and seeking different kinds of results (short-term and practical, or long-term and political). At the same time, the interconnections woven between such groups, whether by the fact of a partially overlapping membership or by voluntary coordination, has engendered a certain synergy across their operations. This synergy is observed at different levels. At a more practical level, NGOs represent a job market that, against the tide of ostracism towards pro-Palestinian political opinions, allows activists the time and margins of manoeuvre necessary to keep doing activism while being able to sustain themselves economically. An example of this kind of interaction can be observed in Jerusalem between the NGO Ir Amim and the collective Free Jerusalem, and in Tel Aviv between the NGO Zochrot and the collectives De-Coloniser and Return Solidarity. Here, many members of the collectives are also employed by the NGOs, and have highlighted the freedom of expression and action they enjoy thanks to their employers, as well as the strategic fact of a flow of information and resources that runs in both directions between the different organisations.³⁵

At a more strategic level, NGOs and collectives increasingly combine their approaches to critique ‘within’ and ‘outside’ hegemonic structures in a way that has the potential to circumvent the limitations of each approach and to capitalise

³⁵ Interviews with members of Free Jerusalem and Ir Amim (Jerusalem, December 2019).

instead on their respective advantages. In particular, NGOs can mobilise their greater resources to provide activists with logistical support, information, and legal protection in case of attacks. On the other hand, collectives can use their positioning outside hegemonic constraints to frame actions in the direction of a more radical critique of the status quo, which can eventually contain the risk of hegemonic co-optation of such actions (Mouffe 2013). For example, such a synergy has come to exist in the South Hebron Hills between Ta'ayush, Breaking the Silence, and Yesh Din – groups that, as we have seen, are very different in form, modality, and political framing. Thanks to its continued presence on the ground, Ta'ayush provides first-hand information and evidence of abuses for Yesh Din to act upon through legal assistance and court petitions. Through this kind of action, legal results can sometimes be obtained, but they are rarely implemented by the army. In that case, Ta'ayush can, through direct action, expose the routinary practice of not applying the law, thus belying the Israeli pretense of rule of law in the occupied territories. In turn, thanks to its institutional means and relative legitimacy among the Israeli liberal Left, Breaking the Silence provides technical support and increased visibility to such direct actions.³⁶ In another example, groups like Return Solidarity, which due to their radical politics cannot mobilise large numbers of people and are usually ignored by mainstream media, resort to All that's Left network of activists for participants, and to the ActiveStills pool of photojournalists to give visibility to their actions. Finally, concerning boycott actions, an NGO like Who Profits can invest personnel and resources into in-depth research on the involvement of states and corporations in occupation practices, but it cannot publicly promote their boycott, divestment, or sanctions due to the 'anti-boycott law.' Instead, it can pass this information onto groups such as BFW, who can be vocal on boycott thanks to their informal status (and at their own individual risk).³⁷

Synergies between NGOs and activist collectives, however, do not always work in this direction. Indeed, the opposite also happens. It has been noted how in some cases NGOs rely on the human resources of collectives as a terrain for recruitment, while activists, overwhelmed by the need to be on the ground, delegate the task of political framing and analysis to NGOs.³⁸ This scenario clearly reverses the potential for such a network to operate towards a more radical critique, and risks instead extending the trap of co-optation to informal collectives as well. To push networks towards the former direction, and to reproduce and reinforce the models of synergy described above, it is important that formal and informal organisations acknowledge their respective roles and the importance of keeping them distinct, and work together to improve their combined action.

³⁶ Interviews with members of Free Jerusalem (Jerusalem, December 2019) and Ta'ayush (Jerusalem, November 2019).

³⁷ Interview with member of Boycott from Within (Tel Aviv, May 2019).

³⁸ Interview with member of Ir Amim (Jerusalem, December 2019). On this problematic intersection between the NGO sector and grassroots movements in Israel, see, e.g., Weisbein (2019).

Convergence: De-politicisation of activism or radicalisation of NGOs?

The proliferation of NGOs mentioned earlier occurred also in consequence of the institutionalised framework for the ‘peace process’ launched with the Oslo Accords. Foreign funding flowed into Israel and the Palestinian Authority to encourage civil society institutions to work within such framework. As a result, not only new NGOs emerged from scratch, but already-existing informal collectives opted to convert into NGOs in what has been referred to as an “NGOization process” (Honig-Parnass and Haddad 2007). One of the most evident consequences of such a process has been a professionalisation of activism that has led in many cases, in Israel and even more in the Palestinian territories, to its depoliticisation (Haddad 2016). Activists “moved away from the streets and turned into NGO bureaucrats,” thus lowering the numbers of grassroots mobilisation.³⁹ At the same time, groups that used to have radical stances reviewed them in order to align with the objectives and constraints posed by their donors, in a way that greatly limited their criticism of both the Israeli state and the Palestinian Authority. Internally, the need to respond to a logic of budgetary rationalisation suppressed the non-hierarchy among members and hindered the spontaneity of their action.⁴⁰ This was the case, for example, of the Alternative Information Centre, a socialist-oriented collective that brought together anti-Zionist Israelis from Matzpen and Palestinians who identified with the Popular Front for the Liberation of Palestine. In the 1990s, some members of the centre chose to support the Oslo process, and eventually the whole group turned into an NGO (Honig-Parnass and Haddad 2007; see also Warschawski 2004; Machover 2012, 249-256). The internal disputes and splintering that followed resulted in the disappearance of the centre in its original form, and eventually in the termination of its Israeli section.⁴¹

As seen, however, the convergence between activism and NGOs has also happened in a different form: less in terms of a transformation of the former into the latter, and more in terms of a tying together of the two in a network. In this form, NGOs can be, instead of an alternative to activism, a structure of support allowing it to thrive and be more effective. Partly in consequence of this, in certain cases, it is indeed possible to observe the reverse process to the de-politicisation of activism highlighted above: that is, the politicisation, or radicalisation, of NGOs. This comes as a result of different factors. Firstly, some NGOs have realised that their cooperation with state institutions has often served not as a push towards policy reform but as a replacement of its functions of protection, which has ultimately absolved it from such responsibilities. Secondly, legal attacks on NGOs have reduced their possibilities to effectively

³⁹ Interview with a member of the Palestinian Popular Struggle Coordination Committees (Beit Sahour, October 2019).

⁴⁰ Interview with former member of the Alternative Information Center (Jerusalem, December 2019).

⁴¹ The Palestinian section of the Alternative Information Centre still exists, but in the reduced form of a ‘resource center’ and cultural hub (see website).

use institutional means, while their de-legitimation in political discourse has pushed them to the margins of acceptability and closer to the space of radical grassroot movements. In this situation, the increasing interaction of NGOs with activist groups both results from and feeds into these processes, insofar as NGOs absorb information and strategies from such movements that can further their distancing from hegemonic discourses and institutions.

A case of politicisation that has made the news both in Israel and internationally is that of B'Tselem. After three decades of work of documenting human rights violations in the occupied territories and cooperating with the Israeli military to prompt and assist investigations, B'Tselem announced in 2016 that it would cease all such cooperation, having observed that such cooperation served as a “fig leaf to the occupation” (B'Tselem 2016). Such a stance, which has since then been reinforced as shown in further reports and declarations (e.g., B'Tselem 2019), has been interpreted by both sympathisers and opponents as the group's shift from human rights work towards political advocacy, and as its “embrace of the radical fringe of Israeli politics” (Balanson 2017).

A similar process has recently involved recently the legal NGO Yesh Din. In June 2020, the organisation published a legal opinion authored by lawyer Michael Sfard, which concludes that “the crime against humanity of apartheid is being committed in the West Bank” (Yesh Din 2020, 57). While this claim does not sound ground-breaking to many, especially Palestinians, and has been criticised for remaining mostly concerned with the West Bank without extending to Israel as a whole, it still signals a shift in the organisation's diagnosis of the Israeli-Palestinian issue from one of occupation to one of apartheid. As such, the report can be seen as one step along the liberal-Zionist-to-anti-Zionist spectrum, and one that can open the door to more radical criticism.

Finally, Breaking the Silence has also undergone a process of radicalisation, albeit in a less official way. An organisation that, due to its Zionist political framing, has always enjoyed a relative legitimacy among Israeli liberal publics, Breaking the Silence has since 2009 been targeted by a campaign of de-legitimation that has branded them as ‘liars,’ ‘traitors,’ and ‘enemies of the state.’⁴² In the words of co-founder Yehuda Shaul: “We didn’t sign up to be the Israeli opposition, but now we are” (Zonszein 2019). As a consequence, the focus of their work has shifted from classrooms, conferences, and even the parliament, where they used to be invited, to the ground of the West Bank, where they work to expose the crimes of the occupation in close cooperation with Palestinian and Israeli activists. According to many of them, Breaking the Silence has since then become a valuable partner in the struggle, and has engaged in a political critique more radical than their official positions on Zionism and militarism.⁴³

⁴² Interview with member of Breaking the Silence (Jerusalem, May 2019). See also Zonszein (2019).

⁴³ Interview with Israeli activist from Jerusalem (Jerusalem, November 2019) and with Palestinian activist from Hebron (Hebron, December 2019). For a critical discussion of the role of Breaking the Silence, see also Weizman (2016) and Matar (2015).

The cases of B'Tselem, Yesh Din, and Breaking the Silence should not be taken as representative of a general trend towards the radicalisation of NGOs. Nevertheless, these marginal shifts show that the narrowing of the space of moderate critique in Israeli civil society does not necessarily lead to its silencing through the 'chilling effect,' but can push it in the opposite direction, towards a broader challenge of the political system as a whole.

Isolation: Between Israeli audiences and the international

As we have seen, one of the challenges for current Jewish-Israeli activists is finding an audience for their claims in the Israeli context. Not only are Israeli state institutions increasingly deaf to their demands, but civil society's common sense resonates less and less with any stance perceived as pro-Palestinian. To this context of isolation, groups are responding in different ways.

One is to adjust their claims and strategies to increase the possibility of being heard by Israeli audiences. Many groups have toned down their claims in the hope of appearing more legitimate. In some cases, this has been done through distancing members considered to be too radical. For instance, the Physicians for Human Rights – Israel has relegated co-founder Ruchama Marton to marginal roles due to her support for the BDS movement and her explicit anti-Zionist position (Marton 2017). In other cases, groups have shifted towards liberal-Zionist positions. A famous case in the past decade has been that of the Sheikh Jarrah Solidarity Movement (SJSM). Born as a spontaneous mobilisation of Israeli activists supporting Palestinians targeted by house evictions in the East Jerusalem neighbourhood of Sheikh Jarrah, the group progressively attracted also moderate sectors of Israeli society that were outraged by the differential application of Israeli laws on absentee properties.⁴⁴ Instead of standing by the full support of Palestinian demands, the group became progressively more liberal Zionist in order to not upset its new base: demonstrations moved away from the neighbourhood and into West Jerusalem, Israeli flags replaced Palestinian ones, Hebrew language took the lead over Arabic, and Palestinian demands were intentionally mistranslated in order to make them more palatable to Israeli audiences.⁴⁵ Eventually, many Palestinian and Israeli activists left the movement for what was perceived as a betrayal of its original nature, and shortly afterwards the movement as such dissolved.⁴⁶

Other groups, such as Free Jerusalem and All that's Left, maintain a more radical position compared to the cases above, but seek to attract larger audiences by framing their stance as against the occupation (as opposed to against

⁴⁴ Interview with former SJSM member (Tel Aviv, May 2019). On the issue of eviction and the differential application of absentee laws, see Ziv (2018).

⁴⁵ Interview with Molad member (Jerusalem, December 2019). See also Hassan (2011) and Dana (2010).

⁴⁶ Those who were perceived as the self-appointed leaders of its new moderate version eventually founded the think-tank Molad, while its original members kept demonstrating in solidarity with Palestinian residents of Sheikh Jarrah to this day, and coalesced into other Jerusalemite collectives, most notably Free Jerusalem.

apartheid or colonialism).⁴⁷ Others, such as Zochrot and De-Coloniser, make a point of raising very contested issues such as the Nakba and the right of return, but do so in a way that tries to bypass the automatised rejection of such topics. By engaging Israelis in practical and emotional ways, rather than presenting them outright with competing narratives, such groups hope to spark individual reflection on taken-for-granted assumptions (Merza-Bronstein and Bronstein-Aparicio 2018). Activists have noted how it is not rare that the people so introduced to activism will radicalise after having experienced first-hand the gravity of the situation. In this logic, moderate groups appear to serve not necessarily as “gatekeepers” that dictate the boundaries of legitimate critique, but on the contrary as “gateways” that can multiply entry points to more radical forms of action (Landy 2011, 109–112).

Finally, there are groups emphasising the need to connect pro-Palestinian stances with other demands for change that are perceived as less contested in Israeli society, with the aim of re-articulating the Palestinian issue as part of broader concerns for equality. Connections are made either with other socio-economically marginalised sectors of society (such as Mizrahi and Ethiopian Jews) or with LGBTQ, feminist, environmental, and animal-rights struggles. However, such connections have much lower grasp than they used to in the past. Disenfranchised Israeli Jews increasingly adopt right-wing anti-Palestinian positions in an attempt to benefit from some of the privileges associated with being Jewish.⁴⁸ The latter type of connection had its golden age in the 1990s and 2000s in Tel Aviv, and had an important role in forming the activists that started joining Palestinian demonstrations in the West Bank during the Second Intifada.⁴⁹ While some of these networks are kept alive in present activist groups, much of the ‘Tel Aviv scene’ has retreated away from Palestinian concerns and continued to focus solely on the more consensual and rewarding struggles for animal rights, the environment, or LGBTQ rights.⁵⁰ To this contributes the fact that the strategy of connecting struggles has often had the opposite effect than what was hoped for: instead of legitimising Palestinian claims, they have delegitimised those who have taken a pro-Palestinian stance, making them outcasts in their own sectors of operation.⁵¹

⁴⁷ Interview with Free Jerusalem member (Jerusalem, December 2019) and with All that’s Left member (Jerusalem, May 2019).

⁴⁸ Groups from the past that made an explicit connection between the Mizrahi and the Palestinian issue are Tarabut, disbanded in recent years, and the Mizrahi Black Panthers, disbanded in the 1970s after a short period of activity. Today, work of this kind is attempted by the group Standing Together and by the youth sections of the communist party Hadash. On the Mizrahi issue in relation to Zionism, see Kimmerling (2001), Ehrlich (2003), and Smoocha (2008); in relation to Palestinian solidarity see, for example, Shenhav (2002) and Chetrit (2000).

⁴⁹ Interview with former member of Anarchists Against the Wall (Jerusalem, November 2019). Examples of such past groups are One Struggle and Black Laundry.

⁵⁰ A particularly exemplificatory trajectory is that of the group One Struggle: originally centered on the connection between all kinds of oppressions in the context of the occupation, the group progressively abandoned pro-Palestinian concerns and focused entirely on animal rights ones, taking the name ‘Animals’ (interview with former member of Anarchists Against the Wall, Jerusalem, November 2019).

⁵¹ Interview with member of Human Rights Defenders Fund (Tel Aviv, May 2019).

The variously adaptive approaches adopted by such groups do not necessarily imply that they consider Israeli society to be the main locus of change on the Israeli-Palestinian issue. In fact, many activists among these groups underscore their pessimism regarding this possibility and are more inclined to believe that structural change will come from “external circumstances.”⁵² Nonetheless, they insist on the importance of “not giving up” on Israeli audiences in view of the future role they can play in the reconstruction of a decolonised Israeli ethos.

Other groups have instead reacted to the disillusionment of bringing change within Israeli society by shifting more and more towards audiences other than the Israeli one. In the aforementioned cases of Breaking the Silence and B’Tselem, part of the response to the narrowing space for action in Israel was turning to international audiences. Breaking the Silence has been investing more in talks and educational projects abroad, while B’Tselem has been addressing international bodies to demand international intervention against Israeli crimes.⁵³

A similar disillusionment with changing Israeli society has led many direct-action activists to turn away from it, instead focusing on solidarity action on the ground with Palestinians combined with appeals to international civil society. An exemplary case is that of Anarchists Against the Wall: frustrated by years of ineffective struggles, activists in the group have either turned to focusing mostly on advocating for the international boycott of Israel, or have moved abroad entirely, in the belief that support for Palestinian rights is better served by acting in countries where public opinion has better chance of being shifted.⁵⁴

De-ideologisation: From political worldviews to political praxis?

As we have seen, compared to a past marked by few but prominent highly ideological groups such as Matzpen or political platforms such as Peace Now, present Jewish-Israeli solidarity groups invest much less in the political framing of their actions. This is due to a variety of reasons, ranging from the lack of time and energy to dedicate to political reasoning, to the decreasing faith in its potential to be a factor of change, to the specific challenges of detaching ideology from identity in Israeli society. As noted by older generations of activists, who look at the new ones with disappointment, this absence of a political framing disconnects solidarity actions from systemic critiques, and can even serve the Zionist project as a whole. In the words of a former member of Matzpen, present movements

⁵² Interview with former member of Anarchists Against the Wall (Tel Aviv, May 2019).

⁵³ Interview with board members of Breaking the Silence (Jerusalem, May 2019) and B’Tselem (Jerusalem, May 2019). See also El-Ad (2016, 2018) and B’Tselem (2016).

⁵⁴ Interview with former member of Anarchists Against the Wall (Tel Aviv, March 2019), and with member of Boycott from Within (Tel Aviv, May 2019).

don't say that the whole project is wrong, that it is a project of displacing a whole nation and create a racist, apartheid society. They focus on a localized kind of harm – the harm to the people living in the West Bank, or in Issawiya. Framed like this, the logical response is to help the harmed, the weak, as you would help a kid crossing the street... They choose to do it in this way because it is undisputable (and I agree that helping the weak is indisputably right!), but it's a small part of the story and it's not so bad in the eyes of the establishment either. There is someone who is correcting its mistakes, helping the victim [the system] makes in the pursuit of some bigger ideals that are not questioned in themselves. It is even proud of them, 'see, these are the good Jews helping the weak'! It is in this sense that they are, in a way, part of the project. (interview, Jerusalem, November 2019)

According to another prominent figure of Matzpen, Moshe Machover, the shift from revolutionary socialism to what he terms an “ethno-patriotic peace activism” – referring to the increased weight Jewish humanitarian values have gained over socialist principles – has deep consequences on the relationship between activists from the oppressive and oppressed groups, and on the possibility to build a joint struggle:

Of course, the shift from revolutionary socialism to the peace activism of an ethno-patriot involves a significant change in perspective and attitude. [...] Joint action, genuine comradeship, and personal friendship between socialists belonging to oppressed and oppressing national groups is not only possible but in fact fairly common, because they share a common socialist outlook and an overriding internationalist commitment, and regard their respective national identities as a matter of mere accident of birth rather than of positive active choice. But where this common overriding commitment to socialist internationalism is lacking, matters are quite different. A person who actively embraces Jewishness as a primary identity and a Palestinian nationalist are not equal partners in a common struggle. The former, even if s/he is anti-Zionist, can at best extend solidarity and support to the latter, but must refrain from offering any programmatic opinion and advice, lest it be interpreted as a colonialist patronizing the colonized. The two remain politically separated by the Border [...] even when trying to bridge it. And in such circumstances “an intimacy in personal relations that does away with ethnic or religious belonging, and which one can call friendship, is almost impossible to achieve.” (Machover 2012, 219)

Similar to critiques of non-explicitly anti-Zionist positions, the limitation of this kind of reasoning is that it focuses on political representations as equivalent to actual political practice, as if a “common overriding commitment to socialist internationalism” could erase the different experiences and status of colonisers and colonised. Instead, as studies of the biopolitical have established, power works through bodies, affects, and the quotidian fabric of social interactions. As such, resistance to it lies (also) in the creation of new subjectivities, practices, and relationships that can subvert hegemonic hierarchies and articulations (see, e.g., Sabsay 2016).

With this in mind, the apparent setbacks of present Israeli activism in terms of political framing can be seen in a different light. The focus on pragmatism and concrete action, albeit happening in an ideological ‘void,’ has brought

Israeli activists in closer contact with Palestinians than ever before. The locus of direct action, which in the past was mostly Israeli cities, has decidedly shifted to the West Bank since the 2000s (Lamarche 2013; Sfar 2020). Israeli activists have “gone to the other side” to offer their support to Palestinians, in a border-crossing that is not only physical but often entails a “fundamental switch of perspective in the perception of the conflict” (Lamarche 2013, 82). The fact of Israelis and Palestinians standing together in the face of military and settler violence does not by itself erase the asymmetry of their positions, but can lead to learn from experience what that asymmetry entails – what privilege means – at the political as well as the interpersonal level. This practice of daily, “unheroic” resistance (Shulman 2018) can provide the breeding ground for new subjectivities, and as such for counterhegemony in a more biopolitical sense. This was testified by the many activists who reflected on how engaging on the ground and over time along with Palestinians led them to develop increasingly sophisticated understandings of the systemic situation of injustice and of their role in it.⁵⁵

Now, the extent of this “revolutionary praxis” (Gramsci 1975) should not be overestimated. The type of engagement discussed here concerns a small minority of the already small portion of Israelis engaged in solidarity. Moreover, the risk of inadvertently reproducing embodied relations of power and asymmetry still exists. It is manifested, for instance, whenever Israeli activists condition their practical support to the respect of guidelines and principles on the part of Palestinians, thus *de facto* assuming a leading role in the struggle (see, e.g., Hassan 2011; Younis 2019). Exemplary of this is the question of non-violence. Condemning Palestinian violent resistance, even when such violence is minimal compared to that used by the Israeli state, is very common among the Israeli Left (Owen 2020; Gordon 2018), and not absent also among those who engage in the radical praxis described above. Some Ta’ayush activists, for instance, admitted how they have occasionally withdrawn their participation from situations where young Palestinians would throw stones at the soldiers, in the hope that this could “educate them to non-violence.”⁵⁶ This attitude shows a form of paternalism that reproduces a colonial type of encounter, and stands in stark contrast with the group’s commitment to support Palestinians in their struggle “not uncritically, but unconditionally.”⁵⁷

Notwithstanding these limitations, the fact remains that some solid and profound partnerships have been built in the West Bank in recent years. One particular episode during my fieldwork struck me as embodying the contradictions of such relationships: the ‘United in Struggle’ Popular Resistance Conference, organised by Palestinian popular committees and resistance

⁵⁵ Interview with Free Jerusalem activist (Jerusalem, December 2019) and Engaged Dharma activist (Jerusalem, December 2019). See also Shulman (2018).

⁵⁶ Interview with member of Ta’ayush (Jerusalem, November 2019). See also Shulman (2018).

⁵⁷ Interview with member of Ta’ayush (Jerusalem, November 2019).

networks in October 2019. The conference was aimed at strategizing the international joint struggle with Palestinians, and ended with a direct action against a newly established settlement. Many of the limitations mentioned above emerged, with Israeli activists (privately) expressing disappointment towards their partners' tactical choices, and Palestinian activists refraining from publicly acknowledging the very presence of Israeli activists, preferring to refer to 'internationals' only. And yet, in contrast with this, Israeli and Palestinian activists were acting towards each other in a way that showed profound trust and mutual respect, not only during the unfolding of the action, but also in the moments of rest that preceded and followed it. In these moments, years and even decades of relationships showed their legacy, with activists recalling episodes from the past, talking about common friends who died or left the struggle, relating intimately over political discussions and jokes that revealed not just political relations, but—maybe—even something similar to the 'friendships' that Machover saw as impossible to achieve.

Conclusion: Limitations and potentials for change 'from within'

This chapter has offered an assessment of present-day Jewish-Israeli activism for Palestinian rights. First, it has mapped its full spectrum by classifying the main groups according to their political framings, organisational forms, and modes of action. Then, it has identified the main developments that distinguish present-day activism from that of the past in terms of a contraction in numbers, a convergence between grassroots collectives and NGOs, the isolation vis-à-vis the Israeli public, and a de-ideologisation of political framings.

The picture that emerges is that of an activism that blurs binary categorisations of groups as working either fully 'within' or fully 'outside' the constraints of Zionism, legal and discursive. If such pure dichotomies have arguably never existed in a context in which Zionism is less an ideology than a daily practice, the hostile political scenario of the past twenty years has made compromises and pragmatic engagements more common than they were before. Both the structural and the contingent conditions of Jewish-Israeli activism engender a situation in which even radical activists are faced with the paralyzing dilemma of either working with the system to meet small-scale changes, or refusing to do so and postponing solidarity action to an indefinite future when systemic change will have been brought from the outside (see, e.g., Sfard 2018). In front of this dilemma, an increasing number of activists chooses not to choose between one or the other option, accepting the political compromises that come from reaching out to Israeli publics, cooperating with politically distant groups, or suspending their stance towards Zionism. This attitude is showing, so far,

different consequences. On the one side, there are groups which have tamed their critiques and moderated their actions in order to continue to operate in the present political context. On the other, there are groups and individuals for which seeking new forms of engagement has led to a progressive radicalisation.

This way to 'make do' with the present structural conditions (and one's own role in them) was well captured by an activist who told me: "Nothing here is black or white, everything is about compromise. The world of NGOs is not all bad and the world of activism is not all pure. And for sure, whatever we do, we cannot shed our privilege. The best we can do is to learn how to use it so as to perpetrate it the least."⁵⁸

Indeed, if there is something hopeful about Jewish-Israeli activism, and something that can serve as an example to others elsewhere struggling with similar constraints, it lies in the ways activists are experimenting to navigate this space and deal with the contradictions it entails. As this chapter has shown, this has led some activists to an engagement that is at once reflexive and relational, rooted in a praxis of day-to-day interaction with their Palestinian partners: an engagement that has allowed them to develop a sophisticated awareness of their embeddedness in power and of possible ways to subvert it. It is this process that carries potential, not only for the development of a 'good practice' of solidarity from within, but for the cultivation through struggle of truly counterhegemonic and decolonial subjectivities among the privileged.

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⁵⁸ Interview with Free Jerusalem activist (Jerusalem, November 2019).

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Post-script

When Palestine Becomes a Source for Global Theory

Benoit Challand



Six Israelis & One Palestinian

2008 | Light-jet print mounted on aluminium, 230 x 164 cm each. Part of the museum collection at MATHAF (Arab Museum of Modern Art in Doha, Qatar). Sabella was one of 23 commissioned artists for its inaugural 2010 exhibition, *Told, Untold, Retold*, curated by Sam Bardaouil and Till Fellrath.

Source: **Steve Sabella**, <https://stevesabella.space/pages/settlement-six-israelis-one-palestinian>

Writing about *The 'Palestine Question' Today* (to take the title of the introduction of this book) is a challenge for multiple reasons. However, the co-editors, Riccardo Bocco and Ibrahim Saïd, as well as the fellow contributors, engage courageously and brilliantly with the task. The famous "Palestinian Question" (*al-qaḍīya al-filastīniā*, also translated as the 'problem' or 'cause' of Palestine) is taken with a grain of salt in this book, which is indicated with the quotation marks. Why do we still have to revisit the "Palestinian Question" today? And why is it courageous to do it?¹

This book is a courageous but necessary publication because those uttering the term *Palestine* are often enjoined to remain silenced. International solidarity with Palestine was a federating international principle at the height of the Cold War and for anti-imperialist struggles (e.g., see Pennock 2017), but with the global war on terror and recent regional and international developments, the topic of Palestine has been pushed to the margins of legitimate public debates. The genocide that has been unfolding in front of the whole world since the end of 2023 has only amplified the repression of studies that are critical of Israeli military occupation. Even within the Arab worlds (e.g., the Arab League), *al-qaḍīya al-filastīniā* is often marginalised, and the talk of in the years 2020-2023, with the rapprochement between Israel and the Gulf monarchies, then later Sudan and Morocco, have further eclipsed Palestinian aspirations for statehood and a just solution to the refugee question. Internationally, more and more concerted attacks against pro-Palestinian movements, in Palestine and abroad, have been lodged under the misleading and mostly false charges of antisemitism. These have had a real chilling effect on freedom of speech when it comes to Palestine (Gould 2023), some of which is documented in great detail in the book.

This shrinking discursive space has been connected to the actual shrinking spaces given to Palestinians. This is the reality on the ground because of the expansive nature of the Israeli occupation in the oPt, but also of the policies within Israel against the Palestinian citizens of Israel (e.g., Cook 2008; I. Saïd's chapter 5 in this volume). Truth be told, the spaces granted to Palestinians of the Diaspora have also been limited by neighbouring Arab states, not to mention the recurrent waves of Palestinian exclusion (e.g., the departure of a large number of Palestinian refugees from Syria and Lebanon after the tragic developments in the Syrian civil war since 2011). The book offers rich lessons about the resilience of the Palestinians forced to establish new roots, with some

¹ This text was written shortly before the October 7, 2023 attacks and the ensuing destruction of Gaza. Some portions of this brief chapter were updated, but not entirely rewritten as was, for example the introduction of this book, to match the current situation. I refer to this introductory text to understand the new conditions.

residing in traditional agricultural communities (Chapter 8, Van Aken), some in the hope of a future return, living in countries as diverse as Chile (Chapter 13, Silhi Chahin), but also in the imaginary realm of fictions (Chapter 15, Dahmash). In that sense, the book is in dialogue with other intellectuals and scholars who have written about “disappearing Palestine” (Cook 2008), the demise of the two-state solution (Hilal 2006), or those who refuse to see Trump’s “Deal of the Century” as a form of resolution to the Palestinian question (Bishara 2022; Tarvainen and Challand 2023).

This book’s very rich line-up of chapters perfectly captures the resilience and adaptability of Palestinians. This editorial project also refuses to comply with the intimations to remain silent about Palestine and projects of solidarity, such as BDS, while challenging the powerful campaigns to undermine the legitimate claims of the Palestinian people. In Europe, as the book shows, solidarity networks supporting BDS in Switzerland and the UK (Chapter 21, Althaler et al., and Chapter 22, Pappé) face domestic pressure, while the work of postcolonial and critical race scholars in Germany is critiqued to justify forms of anti-Arab or anti-Muslim attacks (Chapter 20, Younes). In Germany, even within academic circles that are familiar with the harsh realities of the occupation, the pushing aside of the Palestinian question in public debates elicits only timid pushback. For example, the now-defunct INAMO journal (*Informationsprojekt Naher und Mittlerer Osten e.V. INAMO*), a very good semi-academic journal offering analyses of the Middle East similar to *Middle East Report* (MERIP) in the USA,² had a quite revealing title and cover page for its Issue 67, published in 2013. It was thematically organised around the themes: “Israel-Palästina-Nakba”. It had a list of contributors very critical of Israeli policies (Shir Hever talking of Israel’s Apartheid, Eyal Sivan on the memory of 1948, Ilan Pappé writing on Oslo as “legitimate displacement” (*Legitiemierte Vertreibung*), Yousef Jabareen on the Palestinians of Israel, among others). Yet, the cover did not dare to prominently feature Palestine. Instead, it displayed a blurred grey picture, with a tiny, equally blurred Palestinian flag and the Latin title *Dissipatio Civitatis Palestinensis*. The “disappearance of Palestinian society/culture” can only be expressed indirectly, in a language, Latin, that albeit ‘classical’ and imbued with a certain spirit of nobility (but whose nobility?), is a dead language. ‘Disappearance’ cannot be stated outright or expressed in the vernacular German, it seems. German academics seem to self-censor themselves, most likely out of an awareness that their ability to speak freely has become increasingly constrained.³

Bocco and Saïd are not afraid of confronting the Palestinian question heads on, addressing most of the themes that need to be discussed. The collection of essays has to be commended for its thorough and comparative focus,

² See www.inamo.de (for an overview of the past publications) and <https://merip.org/>

³ The degree in which academic freedom around issues of Palestine has been curtailed massively in Germany after October 7, 2023, is particularly alarming. On the German situation, see Mackert 2024.

particularly around the issues of hydropolitics (Section 2) refugees and diaspora (Section 3), cultural resistances (Section 4), and activism and solidarity (Section 5). It offers a frank assessment of these issues, with a combination of young and more senior scholars, many of whom are Palestinians and all with longstanding expertise. The result is a series of very clear, crisp, and highly articulated essays that zoom in on specific sites or issues, but with a proven ability to resonate with larger theoretical and conceptual debates.

To me, the quality of this edited volume lies in the fact that it shows that the “Palestinian Question” is *not* a Palestinian or a Palestinian-Israeli issue. Palestine is a source of *global* theory, and the contributors, all in their own unique way and without doing it explicitly, offer a dialogue or entry points into much larger issues. This book cleverly flips the “Palestinian Question” into a resource of far-reaching significance. The editors and the contributors bring a displacement and a reversal of the ‘problem’ into an alternative, constructive basis for social inquiry.

On at least four levels, the book turns a specific question into the basis for a larger critique and/or for new theory-making. The first of the four elements is a commitment to new theories in a manner that transcends methodological nationalism moving beyond a narrow political defence of the national project characterised with a lack of criticism toward Palestinian leaders and policies. The second relates to the global implications offered by some of the individual chapters, while the third contributes new theories, such as decolonial theory. Finally, the relational nature of the findings presented in this book constitutes another achievement. These four elements are obviously interconnected and feed one another. I treat them separately for analytical purposes and as a way to underscore a few elements or examples from the 25 contributions. Now, let us delve into these four strengths.

First, the theoretical and conceptual entry-points vary significantly across the chapters, with no one dominant approach. To me, this indicates a healthy field that is not driven nor constrained by ideological perspectives, such as nationalism. The contributions draw on a wide array of analytical frameworks, including Marxian, postcolonial, decolonial, poststructuralist, and constructivist theories, creating a rich and diverse counterpoint throughout the book. We see chapters with Gramsci at play, with his unique focus on common sense, interconnected culture and politics, and the dynamic study of hegemony (Chapter 24, Baroni), while others focused on materiality via a Marxist political economy frame that is sensible to institutional dynamics and thus avoid the pitfalls of narrow economic determinism. In other chapters, materiality is nested under Latour’s ANT approach (focus on Anthropocene, global warming, Chapter 8, Van Aken). Biopower and Foucault’s instrument effect (race as a technology to manage human differences) are another cluster of contributions (e.g., Chapter 3 on torture, Farraj; or Chapter 20 on race, Younes).

Many chapters tackle legal issues, particularly the rights of refugees, military occupation, and environmental protection. These chapters balance historical, legal, comparative, and ethnographic material in a very subtle manner, engaging in dialogue with texts dealing with the materiality of ecology, agriculture and water management. The preservation and protection of the Palestinian environment is thus presented from a variety of angles that are highly rewarding to the readers. Analyses of water, agriculture, and environmental issues focus on different case studies, yet the integration of legal, historical and anthropological methods create a complementary perspective. Similarly, many texts deal with youth and/or activism, rooted again in historical, ethnographic, and interpretative methods. The articulation of generational aspiration is thus well studied and tackles the difficulty generated by the fact that the “Palestinian question” is protracted and unresolved.

Most of these analyses also offer a diachronic perspective that allows the reader to see the bigger, dynamic picture of what is at stake. It is impressive to see the long time-span covered: references are made to the 1948 Nakba, the long-term consequences of the 1967 occupation, and the now three decades of Oslo politics. Additional chapters look at migration from the early 20th century all the way to the present, as well as the impact of new theory (critical race theory) and sites of solidarity (BDS in various sites). Thus, taken as a whole, a privileged point of view crystallises and allows the reader to grasp what could be internal tensions with the Palestinian *demos*, made up of so many different generational experiences and historical contexts.

Overall, and to conclude this first vigour of the volume, the book offers original ways to show that the Palestinian question matters for our times at the theoretical level as well. It does so without replicating the dominant political sociology influenced by Max Weber that tends to focus only on elites, system maintenance, and questions of stasis or legitimacy. The book thus dovetails nicely with the more dynamic and creative Gramscian studies that are burgeoning in the field of Middle East studies.⁴

Second, the book deserves attention for its larger critique that can be drawn from Palestinian case studies. Marginalising the Palestinian question often goes through the steps of declaring the Palestinian case being *sui generis*, that it is a particular case on its own. The chapters indicate otherwise: we can compare and expand the findings from the Palestinian context to other parts of the world. I would even go farther and say that Palestine can be a source for *global* theory. This is, in my view, the case for two dimensions, namely the scattered presence of Palestinians in so many parts of the globe, and because

⁴ I am thinking of the work of Chalcraft (2014), Chalcraft & Marchi (2021), Gervasio & Manducchi (2020), and immodestly, my last book, Challand (2023). Not directly in a Gramscian vein, but attuned to popular protests and a reading of history from below, the excellent book by Schwedler (2022), focusing on Jordan, but with many reference to Palestinians, needs to be cited here as well.

a close critique of the Palestinian condition reveals lessons that can be applied elsewhere in the globe.

The *diasporic* quality of Palestinian-ness is documented in many chapters dealing with regional (Jordan, Syria, Lebanon) and international migration (e.g., Chile hosting the largest community of exiled Palestinians outside the Middle East). Palestinian solidarity efforts have also established rich connections with countries that had a previous experience with Apartheid. Palestinian intellectuals also include international figures who had a profound influence on social and cultural theory (e.g., Edward Said) and even pro-Palestinian scholars ostracised from Historical Palestine. I am thinking of Ilan Pappé, a recent *cause célèbre*, who has had a significant impact on European and international debates about Palestine. Palestinian popular culture, graffiti, and novels also offer international channels for exchange and activism.

However, the more important global element, in my view, is that knowledge generated around the Palestinian struggles against occupation and colonisation has practical consequences for global issues. I am thinking of the close legal analysis of environmental damages generated in the oPt (Chapter 7, Qandeel). In the light of the international obligations under customary norms or treaty provisions, the argument is made that protection of the environment can “be seen as an *erga omnes* obligation” (Chapter 7), meaning that an offence against the environment in one specific place can be framed as an offence “against all” (*erga omnes*), and thus potentially globally. Legal studies are thus essential not just for Palestinians but for our entire planet facing climatic stresses and ecological destruction. The global nature of litigation, because of steps made in the field of universal jurisdiction, albeit modest, is also well known. Yet, in the minute impacts of the construction of the wall in Beit Jala, one can discover how Chile can push back against Israeli legal decisions allowing the construction of the wall in the Cremisan Valley (Chapter 13). Who would have thought that wine production in Palestine would have global ramifications?

The decisions that the International Court of Justice (ICJ) has taken on two distinct cases in 2024 (the case *South Africa v. Israel* on the “[A]pplication of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip” and the advisory opinion of July 19, 2024, on the “[L]egal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem”) are historical and could have far-reaching consequences for Israel and its allies. In the first case, the ICJ has issued at least three orders (January 26, March 28 and May 24), which confirm the plausibility of a genocide committed by Israel against the Gaza population. Such opinions, albeit provisional (the final decision will be years in the making), trigger obligations for every one of the 153 countries that are party of Genocide Convention. Lisa Hajjar, in her recent analysis of Gaza as a “crime scene,” notes further that “[P]olitically, this interim finding has the potential to further galvanize and empower the global movement that has been demanding a ceasefire.

It presents an opportunity to put international pressure in the service of Palestinian rights for a change and to redeem international law, which so often and consistently has failed to protect people from state violence" (Hajjar 2024, 1).

The second advisory opinion (July 19, 2024) unequivocally demonstrates how Israel has been violating international laws on all aspects of the military occupation since 1967. The opinion leads to very clear consequences for the international community: all states must cooperate with the United Nations to ensure Palestinian self-determination (p. 18 of the Summary advisory opinion, paras. 273-279 of the full opinion) and to ensure that they will not recognise any changes that Israel has performed since 1967 to alter "the physical and demographic composition, institutional structure or status of the territory occupied by Israel on 5 June, 1967, including East Jerusalem" (p. 18). The ICJ even refers to the doctrine of *erga omnes* in section C. Legal Consequences for the United Nations (paras. 280-283) (p. 19 of the Summary advisory opinion). It states there that "[T]he duty of non-recognition specified earlier also applies to international organizations, including the United Nations, in view of the serious breaches of obligations *erga omnes* under international law." Two months later, on September 18, 2024, the UN General Assembly passed Resolution A/Res/ES-10/24, which built on the decision reached by the ICJ. In Article 2, this resolution "demands that Israel brings to an end without delay its unlawful presence in the Occupied Palestinian Territory, which constitutes a wrongful act of a continuing character entailing its international responsibility, and do so no later than 12 months from the adoption of the present resolution" (A/Res/ES-10/24, 5). Therefore, a study of the application of international (humanitarian) law in the case of Palestine demonstrates how central, and therefore global, are the occupation of portions of Historical Palestine and the military occupation.

Global elements also appear in the study of multidirectional flows of ideas and theories. Chapter 20 discusses how Australian-based critical race theorist Alana Lentin generates circuits of analysis that connect Ireland, Australia, Palestine and Israel with Germany. Efforts by BDS campaigns in the UK shed critical light on problematic sports-washing and commercial consumption. Thus demonstrating how local labour struggles, far from Israel, can shed transnational light on companies that are accomplices of the occupation (see the case of G4S in the UK discussed in Chapter 22).⁵ On the more positive end of international connections, the chapter on the Palestinians in Chile (the so-called "Chilestinians") offers different conclusions. It has been noted that Chilestinians offer a real living example of the "collective Palestinian identity that existed before Israel itself was violently imposed on the Palestinian map" (Baroud 2020, as cited in Chapter 13). Although not discussed in the book, the 2022 FIFA World Cup in Qatar demonstrated how "Palestine" resonates vibrantly within certain parts of the Arab world, with a huge level of fervour (Belkaid 2022).

⁵ Transnational activism for Palestine has a long history, discussed for example in Pennock 2017.

Morocco reaching the semi-final also meant that solidarity chants created by Moroccan soccer fans in the Atlas country gained international fame. This was not just a fan song, but the words were highly critical of the normalisation deal that Israel has signed with a half dozen Arab countries in 2021 and 2022.⁶

Third, and flowing from the previous point, the decolonial arguments made in the book should get sceptical readers to rethink how much can be learned from the case of Palestine. About half of the chapters call for a form of decolonisation of Palestine. Such calls entail an obvious direct application of the principle to the Palestinian territories (i.e., putting an end to the Israeli military occupation and to the economic dependency on Israel). But they also acquire a larger, more symbolic, possibly global component. For example, Van Aken (Chapter 8) calls for the decolonising of the imagination, in particular when it comes to understanding the impact of global warming. As he put it:

Decolonising must go hand in hand with decarbonising social models and imagination in understanding Palestine. The notion of nature, and its uses and abuses, as an object that is external to relations and relatedness, turns out to be one of the main ideological tools that has been deployed to naturalise the political processes at stake in this region. (Van Aken, Chapter 8)

Decolonial theory does not always have very good press because it is (mis-) represented as a too narrow call to dismantle large structures and possibly also introduce a form of cultural relativism. If applied in the relational manner illustrated by the previous quote, decolonisation can be seen as a plea for the gradual broadening of intellectual spaces to those who have been excluded and the concomitant investigation into the colonial origins of modernity and its lasting exclusionary and violent effects. Decolonial theory is, in my view, a call for diversification, not a replacement of the sociological canon. It can be a path to enhance civic enfranchisement because it necessitates thinking reflectively about the relationship between academia and the making of Western societies that often have a colonial past. Decolonising means generating a self-critical effort in these societies with an imperial or colonial history.

Decolonial thought is about futurity: it calls for an open-ended process of contextualising the origins of social thoughts and ideas of modernity, and tries to retrieve new sources for emancipatory practices. It is not about whole-sale erasures. It forces sociological imagination to decentre itself and take the broader context in which modern institutions have been established. The book offers multiple moments where critical scholarship shows the limitations of certain legal regimes that apply to Palestinians only (e.g., the UNRWA). A

⁶ The song was originally created by fans of *Club Athlétique Raja'*, a football club from Casablanca. See the song *Rajawi filiistini* - رجاوي فلسطيني chanted well before the World Cup at <https://www.youtube.com/watch?v=dQ4k-KCdMLA>. One can see how the song was chanted in Qatar during the world cup at this link <https://www.youtube.com/watch?v=EgovQHk6N-A> (Middle East Eye, "World Cup: Morocco fans sing for Palestine").

knowledge of the historical context in which these *ad hoc* regimes were established demonstrates their entanglement with colonialism and imperialism. Thus, revisiting the Palestinian question along decolonial lines allows us to see the bigger picture.

Last but not least, and by virtue of the three previous qualities underlined, the book offers an important contribution to relational sociology. This phrase of relational sociology, which I take from Mustafa Emirbayer (1998), is a way to remind us of the fallacy of substantialism, namely to advance problematic statements such as “power is this” or “power does that.” Power should not be hypostatized: power is only an abstraction, it cannot be located. Instead, one needs to consider how a situation of power affects the interactions between various social groups and, *as a consequence of this mutual influence*, social relations are changed or influenced. It also means that social categories are very often defined relative to one another.

Palestine, I have suggested, is not about Palestine per se. It has important characteristics that are defined in relational manners, obviously with Israel, but with other societal and political forms in the region and internationally. “Palestine” also acquires a relational meaning that is global and potentially decolonial (and decolonial is taken here relationally: it is not only about decolonising Israel/Palestine), but making us aware that out of the Palestinian context, one can draw larger, global lessons.

In this book, this translates in chapters that do not overlook the constitutive (as opposed to oppressive or destructive) presence of Israel, not only as the occupier but also as generating some motive for internal re-arrangements within Palestinian communities. For example, the fascinating diachronic reading of how Wādī Fūkīn and its water resources have been constantly mingled with, and then extricated from, Israeli life is an illustration of the relational natures that characterise Palestine and Israel (Chapter 6, De Donato). Whatever military and political decisions are taken for Wādī Fūkīn, there is always a return to some form of coexistence from below, possibly also cooperation (talks of *jiran* or neighbours in Arabic, joint social capital, etc.). More prosaically, many chapters build their criticism of Israel, at times also of autocratic sliding by the Palestinian National Authority, on data made public with Israeli NGOs, think-tanks, and campaigns. Reacting to a “disappearing Palestine” will not simply erase Israeli presence or negate knowledge produced in Israel. From a relational perspective, it is obvious that knowledge does not exist in separation. We all rely on a similar need for information, and many, on all sides of the border, aspire to critique as emancipatory knowledge. No doubt, this book is a contribution to that spirit of a relational, global, and decolonial theory and praxis.

To conclude on the strengths of this edited volume, one could paraphrase the quote of Dr. Martin Luther King Jr.: “[I]njustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality,

tied in a single garment of destiny. Whatever affects one directly affects all indirectly" (King 1964, 77). What I take from this rich volume, with chapters that might be surprising for some readers (why a chapter on antiracism in Germany? Why focus on sites such as Switzerland, Chile or the UK?), is that the "Palestinian Question" can be a basis for global theory. It can also point to more democratic and environmentally-friendly paths of action: injustice in Palestine is a threat to justice everywhere (back to the *erga omnes* argument!). Hopefully, the book will emulate future research that will reinforce this connective and critical line of inquiry. Optimistically, the debates generated by these contributions will undo the chilling effect discussed in the first lines of this chapter. It is desirable to have public debates on the meaning of Palestine. The Palestinian question should not be silenced.

Obviously, this book has a history and a location. The context is that of Geneva, a city that wraps itself in the mantle of peace and humanitarian law, and of the Graduate Institute, which had the chance to have a person who demonstrated unflinching support to (young) researchers interested in Palestine and who allowed for vigorous debates on this country: Professor *emeritus* Riccardo Bocco. In this editorial project, he worked in tandem with Dr. Ibrahim Saïd to produce a very fine book, and their joint vision and commitment deserve to be commended.

One of the reasons for the diversity and high degree of interdisciplinarity and dialogues among disciplines featured in this edited volume, if not *the primary* reason, is the quality of a man, teacher, and scholar who created a unique space in Geneva for these debates: Riccardo Bocco. Many of the contributors in this book have been doctoral or post-doctoral researchers at one point in their career with Riccardo involved in one form or the other. I have had the chance to know him for two decades now. Whenever I was visiting Geneva, Riccardo would always use the occasion to introduce me to a new student, a postdoc or a visiting professor working on Palestine. I first met him during my own doctoral research on Palestinian civil society in the early 2000s, when he was leading a large team on the Palestinian Public Perceptions of aid during the second intifada.

After the defence of my dissertation, and for five or six years, I had the chance to go to Geneva once a year to teach a lesson of a core course he taught in Political Sociology, first for the now defunct *Institut universitaire d'études du développement* (IUED) and later at the *Maison de la Paix* for the Graduate Institute for International and Development Studies (IHEID – Geneva Graduate Institute). New contacts were made, leading to new publication projects (e.g., *A Contrario*, sometimes with other scholars, one of them being a contributor to this book, Alaa Tartir). Intellectual friendships developed around Prof. Bocco

brought fruition for other projects, such as a series of conferences (e.g., Civil Society in Amman and Cairo⁷).

Over one of the excellent meals he would cook, the conversation would flourish and expand well beyond the original scope of the discussion. With Riccardo, there is always food for thought, additional stimulation for further curiosity and new intellectual encounters.

Both the IUED and the Geneva Graduate Institute have been lucky to have the presence of Riccardo Bocco. He constantly enables a new generation of researchers to work on Palestine and creates dense and meaningful networks and scholarly connections. The best evidence of the vitality of the network he has created is the book you have now in your hands. Its quality, in particular its impeccable dose of interdisciplinarity and global dimensions, owes much to Riccardo Bocco's vision and restless commitment to justice in Palestine. This is not to take away from the quality of all the contributors and, of course, from the co-editor, Ibrahim Saïd, who steered this project to its end. I am sure they would all agree on the congratulatory nature of these remarks: Many of us have a tremendous intellectual debt toward Riccardo Bocco and I am glad to share these words of gratitude with him here to wrap up this book.

Thanks to Riccardo for all the rich exchanges!

Long live Palestinian studies within the walls of the *Maison de la Paix* in Geneva!

Let Palestinian studies be global studies!

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List of Contributors



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Tamara ABU LABAN is a film director, producer and Lecturer in Film and Digital Media at Bethlehem University (Palestine). At the age of 13 she participated in the documentary film "Frontiers of Dreams and Fears" (shot by May Masri) as one of the main characters. She also made several short films and two TV series. In 2018, she codirected Walls of Dheisheh produced by Geneva University. In 2019 she directed her first long documentary Behind the Fence, on the first intifada. Tamara also shot documentary films and investigative reports for Al-Jazeera & Al-Arabiya. She shot in-depth coverage on the situation in Palestine. She was born in Dheisheh refugee camp (Bethlehem). Even though living in a camp was a hard experience, it has been a very rich cultural environment that inspired her creativity and wish to make films in order to tell people's stories. She studied media in Egypt and got her MA at the Red Sea Institute of Cinematic Arts. Her productions made her participate in film festivals in Europe and the Middle East. She has also founded the project Women Make A Change aiming to empower women through media and films. She got the Synergos award for entrepreneurs and an award from the EU for her work on humanitarian issues, in particular on young women. Personal website: <https://tamaraabulaban.wixsite.com/tamara>



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Riccardo BOCCO is Emeritus Professor of Political Sociology at the Geneva Graduate Institute. His main geographical area of fieldwork for the last 45 years has been the Near East with a particular focus on Jordan, Israel/Palestine and Lebanon. He has successively worked on issues of development policies and State-building; on humanitarian aid and refugees; and monitoring the impact of international aid on civilian populations. He has been director of the French Centre for Research on the Contemporary Middle East, based in Amman, then Research Director and Academic Director for the Masters' Program at the Geneva Graduate Institute. During the 2000s, he has led large-scale research projects on international aid in the Near East for several UN agencies. His present research project titled 'Violence, memory and cinema' explores the role of documentary and fiction films in (re)constructing collective memories and during armed conflicts (Israel/Palestine) in post-civil wars (Lebanon) and in post-dictatorship contexts (Argentina and Chile). His publications and podcasts can be accessed on his personal website: <https://riccardobocco.com/>



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Clémence LEHEC obtained her PhD in social sciences with a specialty in geography and environment from the Universities of Geneva and Grenoble Alpes. She has conducted long-term work on Palestinian graffiti and borders within Palestinian refugee camps in the West Bank. Her research has also explored the use of research-creation methodologies (through geographic experimentation and video), as a possibility to adopt a collaborative approach. Her doctoral thesis was the first in French-speaking geography to be defended based on a documentary co-directed with Tamara Abu Laban, entitled *The Walls of Dheisheh* (2019), and a written thesis. She is currently pursuing her reflections on the use of collaborative and creative methodologies as part of her engagement at CITÉ, the interdisciplinary center for cities and territories transition at the HES-SO Geneva, where she is carrying research on issues of citizen participation and social cohesion in urban settings.



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Steve SABELLA

Steve SABELLA, an accomplished artist and author, has cultivated a distinctive artistic style that has garnered him numerous awards and accolades. Born in Jerusalem, Palestine, and based in Berlin since 2010, Sabella's work serves as a compelling expression of his life and experiences. Widely acclaimed for his bold artwork, he delves into themes of identity, displacement, exile, the repercussions of colonisation, liberation, and the broader human condition, celebrating the resilience of the human spirit.

In 2023, as part of their 25th-anniversary celebration, Smart Mercedes published a creative book called "Always Unconventional," featuring Sabella and a commissioned essay on art as a powerful tool for liberation. In 2008, Sabella received the *Ellen Auerbach Award* by nomination from the Akademie der Künste in Berlin, leading to a monograph study covering twenty years of his art published by Hatje Cantz (Berlin, 2014) with texts by Hubertus von Amelnunx, president of the European Graduate School in Switzerland, and a foreword by artist and art historian Kamal Boullata who described Sabella's work as a dream to discover.

Sabella is the author of the award-winning memoir *The Parachute Paradox*, first published by Kerber Verlag in 2016, tackling the colonisation of the imagination.

Sabella earned a master's degree in Photographic Studies at the University of Westminster, London, graduating with a Caparo Award of Distinction (2008) and earned his second master's in Art Business at Sotheby's Institute of Art, London (2009).



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